

UNITED STATES DISTRICT COURT

for the
Eastern District of Wisconsin

In the Matter of the Search of:

2665 4 1/2 Mile Road, Racine, WI, 53402: herein
described as a brown brick house with dark roof and
cream colored detached garage.

Case No. 19-MJ-1204

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property:

2665 4 1/2 Mile Road, Racine, WI, 53402: herein described as a brown brick house with dark roof and cream colored detached garage.

located in the Eastern District of Wisconsin, there is now concealed:

See Attachment B.

The basis for the search under Fed. R. Crim P. 41(c) is:

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to violations of: 18 U.S.C § 922(a)(1)(A) (engaging in a firearms business without a license), § 922(d) (transferring a firearm to a prohibited person), and § 18 U.S.C § 544 (smuggling good from the United States), 18 U.S.C. § 922(a)(1) (false statement to a material fact to FFL), 18 U.S.C. § 924(b) (interstate/foreign shipment for felony purpose), 18 U.S.C. § 922(a)(9) (non-resident/non FFL received firearms), 18 U.S.C. § 924(h) (transfer firearm to be used in drug trafficking crime), 18 U.S.C. § 924(g) (interstate travel with intent to commit drug trafficking crime), 22 U.S.C. § 2778(b)(2)(c) (illegal export of munitions), and 18 U.S.C. § 371 (conspiracy).

The application is based on these facts: See attached affidavit.

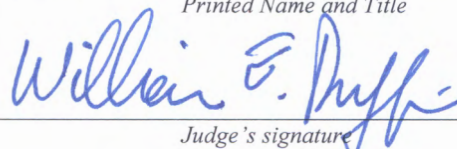
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


Applicant's signature

Ryan Arnold, Special Agent, ATF
Printed Name and Title

Sworn to before me and signed in my presence:

Date: 3/1/19


Judge's signature

City and State: Milwaukee, Wisconsin

William E. Duffin, U.S. Magistrate Judge
Printed Name and Title

AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT

I, Ryan Arnold, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a search warrant authorizing the examination of property, residential dwellings and vehicles, described in Attachment A, and the extraction from that property of evidence described in Attachment B.

2. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been since April 2015. As an ATF Special Agent, I have participated in numerous investigations regarding the unlawful possession of firearms by convicted felons. I have also conducted investigations related to the unlawful use of firearms, firearms trafficking, drug trafficking, and arson. I have previously investigated firearms trafficking groups who moved firearms over long distances, to include Mexico.

3. Prior to my employment with ATF, I was a Special Agent with the United States Secret Service (USSS) for nearly 5 years. My duties included providing and planning dignitary protection, drafting and executing Federal search warrants, investigations of organized crime networks, investigations of threats against USSS protectees, fraud networks, counterfeit currency investigations, and other financial crime investigations.

4. Previous to my tenure with the USSS, I served as a police officer with the Chicago, Illinois, Police Department (CPD). During part of my career as a CPD Officer, I was assigned to the Organized Crime Division-Gang Enforcement Unit. My

responsibilities included the investigations of street gangs, narcotics distribution, firearms violations, robbery, home invasions, operating in an undercover capacity, and the authoring and execution of search warrants.

5. My highest level of education obtained is a Master of Arts from American Military University. I received a degree in Nation Security Studies (focus in terrorism). During my studies, I successfully completed the Drug Cartels and the Narcotics Threat course. This course covered drug cartels, their organization, production, and distribution networks.

6. I have received training in the investigation of firearm and drug trafficking. Based on my training, experience, and participation in firearm trafficking investigations, I know and/or have observed the following:

- a. I have utilized informants to investigate firearm and drug trafficking. Through informant interviews and debriefings of individuals involved in those offenses, I have learned about the manner in which individuals and organizations distribute these items in Wisconsin and elsewhere;
- b. I have also relied on informants to obtain firearms (as opposed to licensed gun dealers) and controlled substances from individuals on the streets, known as a controlled purchase;
- c. I have experience conducting street surveillance of individuals engaged in firearm and drug trafficking. I have participated in the execution of numerous search warrants where drugs, firearms, ammunition, and magazines have been seized;

- d. I am familiar with the language utilized over the telephone to discuss firearm and drug trafficking, and know that the language is often limited, guarded, and coded;
- e. I know that firearm and drug traffickers often use electronic equipment to conduct these operations;
- f. I know that drug traffickers commonly have in their possession, and at their residences and other locations where they exercise dominion and control, firearms, ammunition, and records or receipts pertaining to such;
- g. I know that firearm and drug traffickers often put their telephones in nominee names to distance themselves from telephones that are utilized to facilitate these and related offenses; and
- h. I know that firearm and drug traffickers often use proceeds to purchase assets such as vehicles, property, jewelry, and narcotics. I also know that firearm and drug traffickers often use nominees to purchase and/or title these assets to avoid scrutiny from law enforcement officials. I also know what firearm and drug traffickers may keep photographs of these items on electronic devices.

7. I have participated in multiple firearm and drug trafficking investigations that involved the seizure of computers, cellular phones, cameras, and other digital storage devices, and the subsequent analysis of electronic data stored within these computers, cellular phones, cameras, and other digital storage devices. In many

occasions, this electronic data has provided evidence of the crimes being investigated and corroborated information already known or suspected by law enforcement.

8. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other investigators and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

9. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of 18 U.S.C § 922(a)(1)(A) (engaging in a firearms business without a license), § 922(d) (transferring a firearm to a prohibited person), and § 18 U.S.C § 554 (smuggling good from the United States), 18 U.S.C. § 922(a)(1) (false statement to a material fact to FFL), 18 U.S.C. § 924(b) (interstate/foreign shipment for felony purpose), 18 U.S.C. § 922(a)(9) (non-resident/non FFL received firearms), 18 U.S.C. § 924(h) (transfer firearm to be used in drug trafficking crime), 18 U.S.C. § 924(g) (interstate travel with intent to commit drug trafficking crime), 22 U.S.C. § 2778(b)(2)(c) (illegal export of munitions), and 18 U.S.C. § 371 (conspiracy).

JURISDICTION

10. This Court has jurisdiction to issue the requested warrant because it is “a court of competent jurisdiction” as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A), & (c)(1)(A). Specifically, the Court is “a district court of the United States . . . that has jurisdiction over the offense being investigated.” 18 U.S.C. § 2711(3)(A)(i).

ITEMS TO BE SEARCHED

Residences:

- 6525 High Hill Circle, Racine, WI, 53402: Residence of Oswaldo Cobain (DOB: 02/22/1989) and Elias Cobian (DOB: 03/16/1987)
- 3540 River Bend Drive, Racine, WI, 53404: Residence of Victor Cobian (DOB: 03/29/1982) and Stephanie Cobian (DOB: 08/02/1982)
- 4635 Youngblood Road, Racine, WI, 53405: Residence of Jeremiah "Jerry" Cholip (DOB: 11/29/1974)
- 2665 4 ½ Mile Road, Racine, WI, 53402: Residence of Patrick Finnell, Jr. (DOB: 07/27/1988)
- 3917 E. Maple Street, Oak Creek, WI, 53154: Residence of Cristina Cole (DOB: 01/20/1981)

Vehicles

- Chevrolet Silverado Truck with Wisconsin License Plate AG4081 registered to Elias and Oswaldo Cobian
- Chevrolet Tahoe, bearing WI license plate 496-TPJ registered to Oswaldo Cobian

PROBABLE CAUSE

11. Mexican law enforcement agents have been conducting an investigation into the New Generation Jalisco Cartel (NGJC). Based on information shared between federal law enforcement agencies, it is known that this cartel participates in drug trafficking, firearms trafficking, and extreme acts of violence. In June 2018, Mexican law enforcement agents searched a residence in Guadalajara, Mexico, that was linked to the NGJC. During the search, agents recovered thirty-six firearms, thousands of rounds of ammunition, marijuana, scales, and communication radios. One of the firearms recovered was a Barrett .50 caliber rifle with serial number AA006824 (Barrett AA006824).

12. On June 9, 2018, ATF agents in the Mexico City office discovered that the Barrett AA006824 was purchased from a Federal Firearms Licensee (FFL) located in the Eastern District of Wisconsin. The firearm trace information listed the following regarding the purchase of the Barrett AA006824:

- Original Purchaser: Elias Cobian
- Home Address: 6525 High Hill Circle, Racine, WI 53402
- FFL: The Shooter's Sports Center, Inc., 4900 Six Mile Road, Racine, WI 53402
- Firearm: Barrett, model 82A1, .50 caliber BMG Rifle displaying serial number AA006824
- Transferred: 04/27/18
- Time to Crime: 43 Days

13. "Time to Crime" is a common term used to describe the last known legal possession of a firearm (often the date purchased from the FFL) and the date of its first use in a crime (often the recovery date). ATF agents know from information published by the ATF's Violent Crime Analysis Branch (as of June 16, 2016) the national average time for a gun to be recovered in a crime by law enforcement after the original purchase date is 10.48 years (also known as "time to crime"). Additionally, the average time to crime of firearms in Wisconsin is 8.18 years. ATF agents know a short time to crime is a strong indication of firearms trafficking or "straw buying." The term "straw buying" is used to describe the purchase of a firearm knowing it will be provided to a second party. Affiant knows from training and experience that "straw buying" can be done to either provided firearms to a subject who cannot themselves legally buy firearms or to

conceal the true owner of that firearm. The time to crime for the Barrett was 43 days, which is an extremely short period.

14. Elias Cobian did not report the Barrett AA006824 as stolen, which is suspicious because the Barrett AA006824 is valued at approximately \$7,400 to \$8,400. The failure to report the theft of a high-value item may be an attempt to remain undetected by law enforcement and evade documentation in police reports. Based on this information and the following evidence, ATF believes that Elias Cobian and his associates are involved in criminal firearms trafficking.

15. The recovered firearm was transferred to FFL Shooter's Sport Center in Racine, WI, after it was purchased from a posting on Gunbroker.com. Affiant contacted the seller (located outside of Wisconsin) who advised he shipped the firearm to the Racine FFL after he was contacted by Oswaldo Cobian who informed him his brother, Elias Cobian, had used his account to purchase the firearm. Oswaldo Cobian contacted the seller from 414/366-1114 and provided the name Elias Cobian Soto with telephone number 414/526-9668 as the buyer. Oswaldo Cobian asked the seller how much a second Barrett rifle would cost. On 4/10/18, Oswaldo Cobian texted the seller, "in 2 days mi brother said you should recive check". On 04/14/18, the seller tells Oswaldo Cobian that he received the check and he replies, "Thank you". Continuing on 04/20/18, the seller informs Oswaldo Cobian that his brother's rifle (Elias Cobian) was shipped. The seller sends a text message to Oswaldo Cobian on 05/02/18 asking that read, "Hello Oswaldo How do you like the Barrett?" Oswaldo responded, "It is awesome, thanks". Affiant observed a copy of the Wells Fargo cashier's check listing the payer as Elias Cobian, dated 04/09/18, and in the amount of \$8,425.00.

ELECTRONICS IN FIREARMS TRAFFICKING & DRUG ORGANIZATIONS

16. Affiant knows from training, experience, and this investigation that electronics are critical to the function of firearm and drug traffickers. Throughout this investigation, communications using a wide variety of electronic platforms have facilitated logistics of firearms and drug trafficking. These communications are interstate and international in nature. The platforms include email, internet gun brokering sites that allow the user to communicate, social media, and associated cellular phone applications, and cellular phones. The majority of these communications can be accessed via cellular phone, computer, tablet, or any electronic device that can communicate over the internet. Affiant has observed communications, detailed below, captured from several of our suspects who use these platforms and show that these platforms and devices are indeed used for the trafficking of firearms and drugs. Such evidence includes photographs of trafficked firearms, photographs of illegal drugs, photographs of wire transfers for firearms transactions, conversations regarding the trafficking of firearms and drugs and conspirator identifications, videos of human torture connected to cartel activity, cartel references, voice memos explaining preferred firearm trafficking methods, and statements regarding personal drug use. Your Affiant believes the following affidavit will show how electronic communications and electronic devices are critical to the interstate and international transport of firearms from Wisconsin to criminal organizations in the United States and Mexico. It will also show that electronics facilitated the transport of illegal drugs to the Eastern District of Wisconsin. As explained below, the residences targeted in this affidavit are the domiciles of suspected firearm traffickers who are connected to a conspiracy that uses

platforms including email, internet gun brokering sites that allow the user to communicate, social media, and associated cellular phone applications, and cellular phones to further the criminal activity.

17. Your Affiant knows devices that can communicate via the internet are typically kept in a secured location due to their value and sensitivity to harsh environments. Therefore, many of these devices are kept inside residences, vehicles, and other secured locations. Cellular phones and other similar sized devices can also be kept on one's person. In past firearm and drug trafficking cases, Affiant has obtained devices with stored electronic communications from the aforementioned locations.

ELIAS COBIAN

18. On September 26, 2018, ATF agents traveled to The Shooter's Sports Center, Inc., located at 4900 Six Mile Road, Racine, WI (Shooter's) to review the ATF Firearm Transaction Form 4473 (ATF Form 4473) for any firearms that Elias Cobian purchased. ATF Form 4473 is required to complete the purchase of a firearm from an FFL. Elias Cobian purchased the following firearms from Shooter's:

- Barrett AA006824, transferred on 4/27/2018 (recovered in Guadalajara, Mexico)
- KelTec, model PMR30, .22WMR pistol, displaying serial number WWLU72, transferred on 11 /16/2017
- KelTec, model PMR30, .22WMR pistol, displaying serial number WWHC86, transferred on 10/24/2017
- KelTec, model PMR30, .22WMR pistol, displaying serial number WW7B8I, transferred on 08/23/2016

19. A review of the ATF Form 4473s signed by Elias Cobian revealed that each time he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"

OSWALDO COBIAN

20. ATF believes that Oswaldo Cobian is Elias Cobian's associate and also involved in criminal firearms trafficking. ATF believes that Elias and Oswaldo Cobian currently reside at the same address, 6525 High Hill Circle, Racine, WI. ATF determined this because: (1) Elias and Oswaldo Cobian each have registered a vehicle to that address; (2) on their respective ATF Form 4473s, Elias and Oswaldo Cobian both identify their home address as 6525 High Hill Circle; and (3) on September 26, 2018, ATF agents conducted surveillance at 6525 High Hill Circle and observed a Chevrolet Silverado Truck with Wisconsin License Plate AG4081 in the driveway at the residence. The vehicle is registered to Elias and Oswaldo Cobian.

21. Through a review of Shooter's ATF Form 4473s, ATF determined that Oswaldo Cobian purchased the following firearms, and on the forms for these purchases, he identified his home address as 6525 High Hill Circle, Racine:

- Barrett, model M82A1, .50 BMG Caliber Rifle displaying S/N 1535 transferred 04/25/18
- Barrett, model 82A1, .50 BMG Caliber Rifle displaying S/N AA006768, transferred 02/24/18
- KelTec, model PMR30, .22 WMR caliber pistol, displaying S/N WWK014, transferred 11/16/17
- KelTec, model PMR30, .22 WMR caliber pistol, displaying S/N WW7A37,

transferred 08/23/16

22. Continuing on 02/27/2019, Oswaldo Cobian was observed on surveillance footage at FFL Gander Outdoors in Kenosha, WI, engaged in the purchase of two rifles. The footage also showed that these rifles were each in a brown, cardboard box. ATF agents obtained ATF Form 4473s for the following two firearms transferred to Oswaldo Cobian on the footage:

- Fabrique Nationale (FN) America, Model SCAR 17 SFDE, 7.62 caliber rifle bearing serial number HC40015
- FN America, Model SCAR 17 SFDE, 7.62 caliber rifle bearing serial number H0C10924

23. Continuing on 02/27/2019, Agents observed Oswaldo Cobian return to 6525 High Hill Circle, Racine, WI, and park his vehicle in the driveway. Cobian removed two boxes from this vehicle that were consistent in appearance with the type that FN America SCAR 17 SFDE rifles are packaged and the type observed on the surveillance footage. These items were moved inside the residence. Affiant believes these items still remain in the house since, as of the time of this affidavit, these objects have not been observed leaving the home.

24. Affiant knows that multiple purchases of the same model of firearm can be an indicator of firearms trafficking. Further, this style of rifle is popular among Mexican drug cartels.

25. A review of the ATF Form 4473s signed by Oswaldo Cobian revealed that each time he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"

26. On one of Oswaldo Cobian's ATF Form 4473s, he identified his telephone number as 414-366-1114.

27. Agents believe 6525 High Circle Road, Racine, WI, is still the active residence of Oswaldo Cobian. Oswaldo Cobian was observed exiting and entering residence on 02/08/2019, 02/21/2019, 02/27/2019, and 02/28/2019. Oswaldo Cobian listed this address on his ATF Form 4473s dated 02/27/2018 for the purchase of two separate firearms. This address is currently listed address on Wisconsin Driver's License and he has two vehicles registered to the same address.

28. Affiant also believes Elias Cobian still maintains a residence at 6525 High Circle Road, Racine, WI. ATF agents observed Elias Cobian enter and exit the above residence on 02/21/2019. Further, his Wisconsin Driver's License and vehicle register to this address.

RAFAEL PRECIADO

29. ATF agents believe that Rafael Preciado is Elias and Oswaldo Cobian's associate and also involved in criminal firearms trafficking.

30. ATF agents learned from the Department of Homeland Security Investigations (HSI) that the Chevrolet Silverado Truck with Wisconsin License Plate AG4081 crossed from Mexico into the United States on January 28, 2018. At the time, Elias Cobian and Rafael Preciado were in the vehicle.

31. ATF agents further saw that on September 12, 2018, Preciado attempted to purchase a firearm at FFL The Gun Shop LLC, located at 1452 Sheridan Road, Kenosha (The Gun Shop), but the sale was denied. Preciado ordered the firearm through Rat Worx, Inc., which shipped the firearm to The Gun Shop for delivery to Preciado. The

ATF Form 4473 related to this transaction showed that Preciado attempted to purchase the following firearm:

- Barrett, model M82, .50 caliber rifle, displaying S/N AA007013 (Barrett AA007013)

32. ATF agents also obtained surveillance footage from the attempted purchase of the Barrett AA007013 at The Gun Shop. The footage showed Preciado inside of the store with a person who agents believe to be Oswaldo Cobian. ATF agents compared the subject to the Wisconsin Driver's License photograph of Oswaldo Cobian and believe this to be the same person. ATF agents also know that Oswaldo Cobian drives a 2017 Silver, Chevrolet Tahoe, bearing WI license plate 496-TPJ. The footage showed a Chevrolet Tahoe in The Gun Shop parking lot. During the attempted purchase of the Barrett AA007013, Preciado and Oswaldo Cobian viewed firearms together.

33. ATF agents reviewed the sales receipt from Rat Worx, Inc., and learned that Preciado provided telephone number 414-236-0396 and email address Rabanop1962@hotmail.com as his contact information. A review of call records revealed that 414-236-0396 was in contact with 414-366-1114 (the telephone number used by Oswaldo Cobian) five times on September 12, 2018, the date of the attempted purchase of the Barrett AA007013.

34. ATF agents received an additional ATF Form 4473 from Shooter's. According to this form, Preciado completed the purchase of the following firearm:

- KelTec, model PMR30, bearing S/N WLNU531 transferred on 6/3/2018.

35. A review of the ATF Form 4473s signed by Preciado revealed that each

time he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"

36. ATF agents reviewed National Instant Background Check System (NICS) records related to Preciado. Agents discovered on an ATF Form 4473 that Preciado identifies his residence as 2152 S. 57th Street, West Allis, WI.

PATRICK FINNELL, JR.

37. ATF agents believe that Patrick Finnell, Jr. is Elias Cobian and Oswaldo Cobian's associate and also involved in criminal firearms trafficking.

38. ATF agents queried Facebook and found a profile listed as "Pat Finnell," Facebook ID number for the profile is 100005250308551, and a corresponding URL of <https://www.facebook.com/pat.finnell.10>. The Wisconsin Department of Transportation (WIDOT) photograph of Patrick Finnell, Jr. was compared to the posted photographs on the publicly viewable portion of the Facebook page, and they appeared consistent. This Facebook page showed listed "Friends" with the known Facebook profiles for Oswaldo Cobian and Elias Cobian.

39. Through a review of several records including ATF Form 4473s, ATF determined that Patrick Finnell, Jr. purchased the following firearms and ammunition:

- **FIREARM 1:** Barrett 82A1, 50 caliber BMG rifle, and bearing serial number AA002853 transferred 6/13/2018 from FFL The Gun Shop in Kenosha, WI
- **FIREARM 2:** Browning M2HB, 50 caliber BMG rifle displaying serial number 000043 transferred on 6/15/2018 from FFL The Gun Shop in Kenosha, WI

- **FIREARM 3:** Barrett, model M82A1, 50 caliber BMG rifle displaying serial number AA002148 transferred on 7/26/2018 from FFL The Shooters Sport Center in Racine, WI
- **FIREARM 4:** Barrett, model BA-M82, 50 caliber BMG rifle, displaying serial number AA007013 transferred on 09/20/2018 from Gander Outdoors in Kenosha, WI (this is the same firearm Rafael Preciado attempted to obtain on 09/12/2018)

FIREARM 1: Barrett 50 caliber rifle S/N: AA002853

40. Affiant learned Firearm 1 was purchased on Gunbroker.com by a user with the information subscriber information of Oswaldo Cobian, username Cobian_oswald4, 6225 High Hill Circle, Racine, WI, 53402-1365, phone number of 414/366-1114, and email of Cobian4@hotmail.com. The receipt was dated 06/05/2018 for the purchase. This firearm was transferred by an out of state seller, therefore it had to be transferred to a FFL within the state of Wisconsin. The firearm was transferred to Patrick Finnell on 6/13/18.

41. A review of the ATF Form 4473 signed by Finnell revealed that he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"

FIREARM 2: Browning M2HB Belt-Fed Rifle S/N 000043

42. Affiant interviewed the original seller of Firearm 2 who confirmed he posted the rifle via Gunbroker.com. The seller explained the firearm was won in an auction by the Gunbroker.com profile listing the following information: Oswaldo Cobian, username Cobian_oswald4, 6225 High Hill Circle, Racine, WI, 53402-1365,

phone number of 414/366-1114, and email of Cobian4@hotmail.com. Affiant knows these to be identifiers used by Oswaldo Cobian. On 05/28/18, shortly after winning the item, a message from the Cobian_oswald4 Gunbroker.com account was sent as follows: "Hey I will be back in town tomorrow sorry for the inconvinus I will send you your check a sones possible". Affiant knows from this investigation that the language used and misspelling are consistent with messages sent by Oswaldo Cobian.

43. Continuing on 5/31/18, the Cobian_oswald4 sends the following message, "Hi my name is Pat Finnell, Oswaldo Cobian found the 50 cal rifle for me. I went to a gun shop and the guy that does the transactions was not there. His name and number is Luke Stahl and his number is 262 925 1001. The business name is The Gun Shop LLC. If you could contact me when the information is complete. My phone number is 262 305 8609, I also will send the money tomorrow". The seller required Finnell to provide a cashier's check for \$12,999 plus \$175 (shipping) before shipping to the FFL in Wisconsin. The firearm was transferred to Finnell on 06/15/2018.

44. A review of the ATF Form 4473s signed by Finnell revealed that each time he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"

45. Affiant learned that a Gunbroker.com account listed to Victor Cobian had inquired about a posting listed as, "M2HB 50 Cal Machine Gun Complete Internal Part Kit". The seller confirmed via telephone that they indeed shipped the parts kit for an M2HB Browning Rifle, (such as Firearm 1) to Victor Cobian at 3540 River Bend Road, Racine, WI, 53404-1558. The seller said Cobian advised the order was a rush and he had almost everything he needed (believed to mean items needed to convert an M2HB into

a fully automatic machine gun). The seller also found it odd that Cobain paid \$1,620 for the kit and selected the "buy it now" price, although there were no bids for the item and the current bid was a lower price. Affiant received copies of the United States Postal Service (USPS) receipts from the seller, which showed the parts kit was delivered on 8/09/18. The receipt shows a signature by consistent with Victor Cobian.

FIREARM 3 Barrett Rifle S/N AA002148

46. ATF determined that the purchase of the Barrett 82A1 rifle displaying S/N AA002148 was connected to Oswaldo Cobian. The Gun Shop provided records that showed that the transaction for the Barrett 82A1 was initiated on the online auction website, Gunbroker.com. Gunbroker.com sent the Barrett 82A1 to The Gun Shop. The auction purchaser for the Barrett 82A1 listed the following identifying information on the Gunbroker.com website: username: "Cobian_oswald4", name: Oswaldo Cobian, address: 6525 High Hill Circle, Racine, WI, 53402-1365, telephone: 414-366-1114, email: Cobian4@hotmail.com. Affiant knows these to be identifiers for Oswaldo Cobian.

47. Affiant contacted the seller who confirmed that the above Gunbroker.com account did win the auction for Firearm 3. They further explained that he was contacted by a subject who had a Spanish accent he believed was Oswaldo Cobian. This subject informed him the firearm was actually for Patrick Finnell.

48. A short time later, the seller was contacted via text message by a subject who introduced himself as Pat Finnell and a friend of Oswaldo (Cobian). Finnell inquired where to send the payment and was instructed to send a cashier's check.

49. The seller advised that Oswaldo Cobian contacted him to check the progress of the transaction. A series of emails was provided showing an inquiries from

Cobian_oswald4 via Gunbroker.com. On July 25, 2018, Cobian_oswald4 sent, "Hey just wondering what's going on you got your money and i still don't have mi rifle I text you earlier and you didn't text me back when are you going to send it??" The seller contested the request on 07/27/18 and advised Cobian_oswald4 that the rifle was for Patrick Finnell (who was in a text message conversation with the seller regarding the firearm) and it was illegal for Finnell to buy a firearm and give it to Oswaldo Cobian. He further informed Cobian that the firearm was sent to Finnell at FFL Shooter's Sport Center in Racine, WI. The Cobian_oswald4 profile responded later that day with the following message: "No it was Patrick who send you the message we work together and he ask me iff he can send a message from mi account iff see if you would answer be cause he was worried about you did not guet back to him wen you told him Monday that you was gonna send him the trucking number. Sorry for the misunderstanding. Have a good night".

50. Affiant believes that Oswaldo Cobian sent both messages although he claimed the inquiry into the rifle was for Finnell. Your Affiant believes this because the language and misspellings are those commonly observed in English communications by Oswaldo Cobian. Further, using "mi" instead of "my" (such as "mi rifle" and "mi account") can be an indication of a native Spanish speaker. "Mi" is the Spanish word for my.

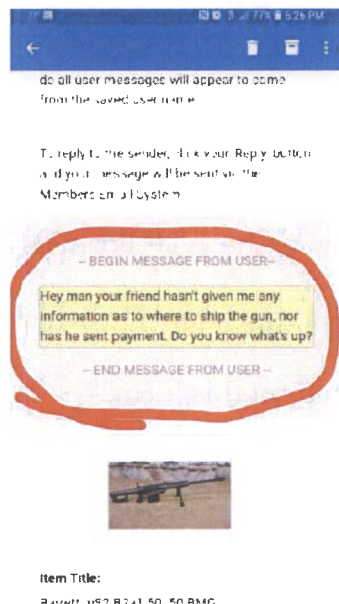
51. The seller received a BMO Harris cashier's check for the Firearm 3 in the amount of \$6,300 listing the payee as Patrick W. Finnell. The check arrived in a United States Postal Service (USPS) Priority Mail envelop listing Patrick Finnell, 2665 4 ½ Mile Road, Racine, WI, 53402, as the sender. Affiant observed the reverse side of the check

and it shows a stamp indicating it was negotiated on 07/13/2018.

52. Affiant also observed Facebook messages (pursuant to a Federal search warrant) between the Facebook accounts associated with Patrick Finnell and Oswaldo Cobian that confirm Finnell and Cobian were working together. On July 08, 2018, Cobian sent Finnell the contact information for the seller of Firearm 3. Additionally, Oswaldo Cobian provided screenshots of the Gunbroker.com chat with the seller of the Firearm 3. The chat reads as follows:

July 08, 2018:

Seller: Hey man your friend hasn't given me any information on where to ship the gun, nor has he sent payment. Do you know what's up?

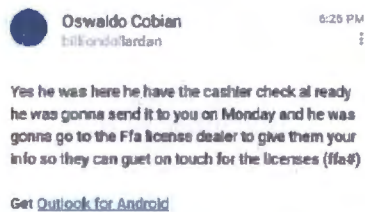
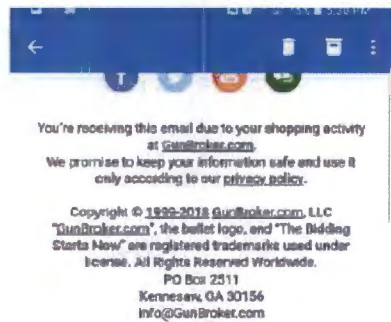


(actual screenshot – the red circle over conversation was added to picture)

53. Oswaldo sends second screenshot to Finnell that reads as follows:

Oswaldo: Yes he was here he have the cashier check al ready he was gonna to send it to you on Monday and he was gonna go to the ffa license dealer to give them your info so they can guet on touch for the licenses

(ffa#)



Oswaldo: Did you text him?

Finnell: Yea

54. Finnell completed an ATF 4473 at FFL Shooter's Sport Center and the rifle was transferred to Finnell on 07/26/2018. A review of the ATF Form 4473s signed by Finnell revealed that each time he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"

55. The seller also agreed to send .50 caliber BMG ammunition to Finnell separately from the firearm so Finnell could shoot it shortly after receiving it. Finnell text messaged 2665 4 ½ Mile Road, Racine, WI, 53402, as the address to ship the ammunition. The seller never shipped the ammunition to Finnell and Finnell never inquired to its whereabouts. The seller found this odd due to the expensive cost of .50 caliber ammunition. Affiant believes this may be an indicator that Finnell never intended to shoot the firearm himself. Additionally, when individuals do not show an

interest in common accessories, ammunition, magazines, and other items commonly used for firearms, it can be an indication that the firearm is not intended for the purchaser.

56. Affiant knows that involvement by a third party in firearm purchases is a very strong indication of organized, straw purchasing.

57. A review of the ATF Form 4473s signed by Finnell revealed that each time he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"

FIREARM 4: Barrett Rifle S/N: AA007013

58. On September 12, 2018, Oswaldo Cobian and Rafael Preciado traveled to FFL The Gun Shop in Racine, WI, to obtain Firearm 4 after purchasing it from FFL Ratworx in Mt. Morris, IL, via Gunbroker.com. Preciado attempted to purchase Firearm 4 but was denied during the background check. Oswaldo Cobian asked the FFL to put the firearm into his name but the FFL denied this request. Phone records shows numbers used by Cobian and Preciado were in contact approximately five times on this day.

59. Due to the denial, the FFL had to return Firearm 4 to FFL Ratworx in Illinois. On 09/13/2018, Oswaldo Cobian returned to the FFL to pay for the return to the FFL in Illinois.

60. On October 31, 2018, ATF agents responded to the OCPD after learning that several Barrett .50 caliber rifle cases and Kel-Tec PMR30 pistol cases were recovered from a dumpster near 3950 E. High Street, Oak Creek, WI. This location is within approximately 0.3 miles from the residence of Oscar Cobian and the bar

operated by Victor Cobian. This business is also frequented by Elias Cobian and Oswaldo Cobian. Agents believed this was odd because a Barrett rifle Pelican Cases cost approximately \$375 per case and are imperative to maintaining the condition of an expensive firearm. The following firearm cases were recovered from the dumpster:

- Five Pelican brand cases designed for Barrett rifles
- Three KelTec PMR30 cases displaying the following serial numbers:
WWLU72, WW7A37, and WWHC86
- One Plano long gun case

61. ATF agents cross-referenced the retrievable serial numbers on the pistol cases and found that they matched the serial numbers of the following Kel-Tec PMR30 caliber pistols purchased by Elias and Oswaldo Cobian:

- Kel-Tec, model PMR30, .22 WMR caliber pistol, displaying S/N WW7A37, transferred on 08/23/16 to Oswaldo Cobian
- Kel-Tec, model PMR30, .22WMR pistol, displaying serial number WWLU72, transferred on 11 /16/ 17 to Elias Cobian
- Kel-Tec, model PMR30, .22WMR pistol, displaying serial number WWHC86, transferred on 10/24/17 to Elias Cobian

62. Agents also inspected the Barret rifle cases and found manuals for Barret .50 caliber rifles and Barrett .416 rifles. Affiant knows that a Barrett, .416 rifle was shipped to FFL Chambered in Sturtevant, WI, for Victor Cobian.

63. In addition, agents also discovered a Barrett inspection tag for a Barrett .50 caliber rifle with serial number AA007013 (Firearm 4). This is the firearm Rafael Preciado attempted to purchase on September 12, 2018 in Racine, WI. Agents suspected

Preciado and Oswaldo Cobian found a secondary means to obtain the rifle.

64. Subsequently, ATF Agents contacted FFL Rat Work and gathered additional information regarding the life-cycle of Firearm 4. After reviewing FFL invoices and shipping manifests, Affiant learned the rifle was shipped from FFL The Gun Store in Wisconsin back to FFL Rat Worx in Illinois on 09/14/2018. FFL The Gun Store listed "the customer was denied" (Preciado) on the invoice as the reason for the return.

65. Next, Affiant observed a FFL Rat Worx sales receipt dated 09/18/18 for charges associated with Firearm 4 in the amount of \$51.38 to FFL Gander Outdoors in Kenosha, WI. This is consistent with FFL transfer charges. The sales receipt listed the customer as Pat Finnell, 2665 4 Halfmile Road, Racine, WI, 53402. ATF agents observed an ATF Form 4473 confirming Finnell received the firearm from FFL Gander Outdoors on September 20, 2018 (after Preciado's denial and return of the firearm).

66. In summary, in approximately six days, the firearm was returned from FFL The Gun Store in Kenosha, WI, back to FFL Ratworx in Mt. Morris, IL, then shipped back to a second FFL in Kenosha, WI, and ultimately into Patrick Finnell's possession. Further, it appeared Finnell only paid transfer charges for the rifle. Therefore, the original purchaser (Preciado) still had \$7,446.97 invested into the firearm. Affiant knows from training and experience this is a strong indication of organized firearms trafficking and organized straw buying. Further, the discarding of expensive firearm cases suggest that the weapons are possibly being moved by unconventional means. In your Affiant's training and experience it is not uncommon for trafficked firearms to be "broken down" to reduce their size and secreted in vehicles among other

methods. In addition, the purchasers may also be attempting to hide evidence of their association with the firearms.

67. A review of the ATF Form 4473s signed by Finnell revealed that each time he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"

68. ATF agents believe Finnell resides at 2665 4 ½ Mile Road, Racine, WI, 53402. Finnell was observed inside this address 02/28/2019. Finnell currently uses the above address as on his Wisconsin Driver's License and vehicle registrations. Finnell provided this address to an associate on Facebook in August 2018. A law enforcement interaction occurred with Finnell at this address also in August 2018.

VICTOR COBIAN

69. ATF agents believe that Victor Cobian is Elias and Oswaldo Cobian's associate and is also involved in criminal firearms trafficking.

70. ATF agents observed publicly viewable photographs posted to the Facebook page with Facebook username "Oswaldo Cobian" Facebook ID Number 100000952930252, and URL: 100000952930252. WIDOT photographs were compared to the posted pictures on this Facebook page, and the appearance is consistent with Oswaldo Cobian. A publicly viewable photograph shows Oswaldo Cobian with a subject matching the appearance of Victor Cobian. ATF agents compared to the posted picture on this Facebook page with Victor Cobian's driver's license photo, and the appearance is consistent.

71. Through a review of several records including ATF Form 4473s, ATF determined that Victor Cobian purchased the following firearms and ammunition from

FFL Chambered, located at 1630 Wisconsin Street, Sturtevant, WI:

- Barrett, model M82A1, .50 caliber rifle, displaying serial number AA007354 (Barrett AA007354) transferred 8/16/2018
- Barrett, model 82A1, .50 caliber BMG rifle displaying serial number AA0073454 transferred 08/16/2018
- Barrett, model 82A1, .50 caliber BMG rifle displaying serial number AA007837 transferred 10/09/2018
- Barrett, model 82A1, .50 caliber BMG rifle displaying serial number AA007825 transferred 10/09/2018
- Fabrique Nationale Herstal (FNH), model M249S, 5.56 rifle, displaying serial number M249SA05209 transferred 10/9/2018
- FNH, model 9C, 9mm pistol, displaying serial number CSU0054557 transferred 8/3/2018

72. Records from Chambered showed that Victor Cobian provided the following contact information when he purchased the Barrett AA007354: telephone number: 847-505-0429 and email: Chapo6478@gmail.com.

73. Chambered informed ATF agents that in 2018 Victor Cobian purchased approximately 20,000 rounds of .50 caliber ammunition, which is the caliber for Barrett rifles. The rounds cost approximately \$2.30 per round. Victor Cobian's ammunition purchase is valued at approximately \$46,000.

74. A review of ATF's eTrace system revealed that Victor Cobian is linked to multiple firearm traces and recoveries. Some of the traces and recoveries were linked to criminal activity including possession of heroin, marijuana, and cocaine, and possession

of firearms by felon cases.

75. A review of the ATF Form 4473s signed by Victor Cobian revealed that each time he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?" Affiant also observed mail for Victor CObian at 3540 River Bend Drive, Racine, WI in December of 2018. Victor Cobian utilized this address on ATF Form 4473s on 08/03/2018, 08/16/2018, and 10/09/2018. The cellular phone number associated with Victor, 847-505-9429, lists to that address and is written on ATF Form 4473s. A November credit card statement lists to this address.

76. On Victor Cobian's ATF Form 4473s, he identified his home address as 3540 River Bend Drive, Racine, WI. Agents believe this is the current address for Victor Cobian. On 03/01/2019, Agents observed vehicles registered to Victor Cobian parked at the above address.

JEREMIAH CHOLIP

77. During this investigation, ATF learned that Victor Cobian often purchased firearms through FFL Chambered, LLC in Sturtevant, WI. Like Oswaldo Cobian, these firearms were often internet purchases from out of state FFLs that were shipped to FLL Chambered and transferred into the possession of Victor Cobian. Stephanie Cobian and Cristiana Cole (sister of Victor) also purchased firearms from Chambered. Victor also used a Gunbroker.com account to transfer firearms to Chambered. Victor Cobian also purchased a Barrett, .50 caliber rifle was also shipped to FFL Chambered from FFL Rat Worx in Illinois. This is the same FFL utilized during a Barrett .50 caliber rifle purchase by Rafael Preciado but was denied during the background check (see above).

78. On 10/25/2018, Agents interviewed the owner of FFL Chambered and learned that Victor Cobian would only conduct business with Jeremiah "Jerry" Cholip at his store. It was common for Victor Cobian to pay in cash. In one instance, the FFL owner was aware of that Victor paid for firearms up front so they could be ordered from FFL wholesaler Lipsey's. Lipsey's will only accept payments from an FFL on file, therefore the cash from Victor Cobian was deposited into the FFLs bank for payment to Lipsey's.

79. The FFL further advised that the money for a .50 caliber ammunition for purchase on behalf of Victor Cobian was completed after Cholip placed the money into his personal account. The FFL estimated that Cholip had conducted two different .50 caliber ammunition transactions totaling approximately 20,000 rounds. The FFL felt Cholip was acting secretive about the first transaction.

80. The FFL told ATF that a sale was brokered by Cholip between a private seller and Victor Cobian on 10/29/18. The deal was for thirty-one firearms (mix of handguns and rifles) and Victor Cobian paid the seller approximately \$60,000 to \$70,000 in cash for the guns.

81. On 10/31/2018, ATF agents responded to Oak Creek, WI, where they recovered discarded firearms cases in a dumpster near the bar operated by Victor Cobian, the residence of Cristiana Cole, and the residence of Oscar Cobian (also mentioned above). Serial numbers on the recovered boxes linked to purchases by Oswaldo Cobian, Elias Cobian, Patrick Finnell, Jr., Rafael Preciado (attempted). In addition, a Barrett rifle case containing a Barrett .416 rifle manual was recovered. Affiant knows that Victor Cobian returned a Barrett .416 rifle to its originating FFL. The

FFL employee confirmed that rifle was returned but believed it came in a box for a .50 caliber rifle instead of a .416 caliber rifle. Affiant believes that this box was retained accidentally and could explain how a .416 Barrett rifle manual was recovered with other Cobian firearm cases. Ultimately, these boxes linked to the group were recovered by law enforcement approximately six days after ATF's visit to FFL Chambered. Affiant believes it is possible the group was made aware of the investigation and disposed of evidence.

82. Between the dates of 09/05/2018 and 10/10/2018 (records available), Victor Cobian (847-505-9429) communicated with Jerry Cholip one hundred seventy six (176) times at the number 262-902-6757. Agents know this as Cholip's phone number after it was provided to law enforcement by Cholip during a noise complaint.

83. Affiant observed Victor Cobian and Cholip each wearing support clothing for the Outlaws Motorcycle Gang. Agents know this group as a criminal organization.

84. Cholip's address is listed as 4635 Youngblood Rd, Racine, WI, on his Wisconsin Driver's License. Cholip was listed as defendant under Racine County Case Number 2018TR014176 listed 4635 Youngblood Road, Racine, WI, 53405. The address was listed as "last updated" on 02/01/2019. Cholip had law enforcement interactions on 06/01/2018, 06/05/2018, and 07/11/2018 at the above address. Affiant also knows that Cholip received packages at this address in February 2018.

OSCAR COBIAN

85. ATF agents believe that Oscar Cobian is Victor Cobian's relative and also involved in criminal firearms trafficking. ATF agents know from a published obituary that Victor and Oscar Cobian are brothers.

86. From multiple government record sources, ATF confirmed that Oscar Cobian's home address is 3927 E. Dexter Avenue, Oak Creek, WI.

87. A query of the Wisconsin Department of Financial Institutions listed 3540 River Bend Drive, Racine, WI, as the Principle and Registered Agent Office for Cobian Utility Contractors, LLC. The registered agent for this address was listed as Oscar Cobian. A query of the Illinois Office of the Secretary of State listed Agent Address of 2349 S. Pulaski Road, Chicago, IL, for Cobian Utility Contractors, LLC with a Principle Address of 3540 River Bend Drive, Racine, WI. The LLC managers were listed as Victor and Oscar Cobian.

47. A review eTrace firearm records showed that Oscar Cobian purchased the following firearm:

- Anderson Manufacturing, model AM-15, multi-caliber pistol, AR-15 style, S/N 14150396 transferred 4/25/2015 (AM-15)

48. A review of the ATF Form 4473 signed by Oscar Cobian revealed that he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"

49. The AM-15 was recovered on April 12, 2017, during the arrest of convicted felon Alfredo Salinas-Valladares in Nagadoches, Texas. Also recovered during the arrest was 0.7 grams of cocaine, \$6,900, and a Lauer Custom AR-15, model LCW15, 9mm, pistol S/N SML-6601 (Lauer Custom), purchased by a Wisconsin citizen (W.C.) on January 27, 2013. Salinas-Valladares was interviewed, and he informed the Nagadoches County Sherriff Office (NCSO) deputies that he was driving from Wisconsin.

50. On October 11, 2018, ATF agents contacted W.C. who informed ATF that, in 2016, he sold the Lauer Custom in a private Armslist.com sale to Michael J. Repa. Repa used email address, Mikerepa@att.net, while conducting that firearm transaction with W.C. on Armslist.com.

51. ATF agents also recognized Repa as the original purchaser of the following three firearms that were eventually possessed by Victor Cobian:

- Winchester model SXR, 300 Caliber rifle S/N 31AMT01603.
- Stoeger, model 200, 12 gauge shotgun S/N 831352
- Taurus, model Tracker, .17 caliber revolver S/N WI148397

52. These three firearms that were possessed by Victor Cobian were confiscated by the ATF and Oak Creek Police Department (OCPD) on May 20, 2011, after Victor Cobian admitted cocaine usage.

STEPHANIE COBIAN AND CRISTINA COLE

53. ATF agents believe that Stephanie Cobian and Cristina Cole are related to several suspects and also involved in criminal firearms trafficking.

54. ATF knows from a publicly published obituary that Stephanie Cobian is the wife of Victor Cobian and Christina Cole is the sister of Victor and Oscar Cobian.

55. ATF agents learned that Stephanie Cobian and Cristina Cole purchased similar makes and models of firearms from Chambered. Between September 30, 2018, and October 24, 2018, ATF Form 4473s showed that Stephanie Cobian and Cristina Cole purchased multiple firearms from FFL Chambered.

56. Cristiana Cole purchased the following firearms:

- FN model M249S, 5.56 caliber rifle bearing serial number M249SA07138

- FN model SCAR, 5.56 caliber rifle bearing serial number

57. Affiant learned that FFL and firearm wholesaler, Lipsey's located in Louisiana shipped these firearms that were ultimately transferred to Cole. A Lipsey's employee explained they only dealt with FFLs and would not did not engage in personal internet sales. Therefore, the account had to be affiliated with an FFL for the transaction to proceed.

58. Stephanie Cobian purchased the following firearms from FFL Chambered:

- Colt model Commander, .38 super, bearing serial number CU06401E
- Smith & Wesson 640, .38 special, revolver bearing serial number DKM3320

59. The Colt Commander was won via a bid on Gunbroker.com. The winning bidder was username Wisc6622, Victor Cobian, 3540 River Bend Drive, Racine, WI 53404-1558, (847)505-9429, Email: Chapo6478@gmail.com. The seller said "Mr. Cobian" provided the payment information over the phone and the firearm was shipped to FFL Chambered on 09/27/2018 per Cobian's request. This is a similar method used by Oswaldo Cobian.

60. Some of the above firearms are the same make, model, and caliber as the firearms purchased by the other suspects.

61. A review of the ATF Form 4473s signed by Stephanie Cobian and Cristina Cole revealed that each time they answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"

62. Stephanie Cobian provided 3540 River Bend Drive, Racine, WI, as her address on the ATF Form 4473 and her Wisconsin Driver's License. This is the same

address as Victor Cobian and believed to be her current residence. On 03/01/2019, ATF agents observed a vehicle registered to Stephanie Cobian parked at this location.

63. Cristina Cole provided 3917 E. Maple Street, Oak Creek, WI, as her address on the ATF Forms 4473s. Agents believe this is still her address is currently used on her Wisconsin Driver's License. Cole had previously provided this address to Facebook associates in 2017.

TELEPHONE CONTACTS TO JALISCO, MEXICO

64. ATF agents observed call records for what is believed to be Oswaldo Cobian's telephone number, 414-366-1114, from September 3, 2018, until October 2, 2018. This telephone number was in contact with Jalisco, Mexico approximately 857 times during this timeframe.

65. ATF agents observed call records for what is believed to be Elias Cobian's telephone number, 414-526-9668, from September 3, 2018, until October 2, 2018. This telephone number was in contact approximately 91 times with Jalisco and Sinaloa, Mexico during that timeframe.

TELEPHONE CONTACTS AMONG THE SUSPECTS

66. ATF agents also reviewed telephone contact records between September 3, 2018, and October 2, 2018, and the records showed Oswaldo and Elias Cobian had multiple contacts with Patrick Finnell Jr. and Rafael Preciado. The telephone number associated with Elias Cobian showed it was in contact with Patrick Finnell, Jr. approximately 16 times, Raphael Preciado 12 times, and Oswaldo Cobian 168 times.

67. The phone number for Oswaldo Cobian showed he was in contact with telephone numbers associated with Raphael Preciado 56 times, and Patrick Finnell, Jr.

28 times.

IDENTIFICATION OF FACEBOOK PAGES

68. ATF agents queried Facebook and found a profile listed as "Oscar Cobian", URL: <https://www.facebook.com/oscar.cobian.923>, Facebook ID: 100000739694551. Although, no photographs were publically viewable the profile listed a hometown as Oak Creek WI. This Facebook page listed "Friends" with the known profiles for Oswaldo Cobian. The profile was also "Friends" with "Arte Cobian". ATF agents know that "Arte" is short for Artemisa. According to the Illinois Secretary of State website, Artemisa Cobian is the agent for Cobian Utility Contractors in Chicago, Illinois. Oscar Cobian is listed as the LLC manager for this company. The profile also listed its likes as Victor's Again bar in Oak Creek, WI.

69. ATF agents queried Facebook and found a profile listed as "Pat Finnell," Facebook ID number for the profile is 100005250308551, and a corresponding URL of <https://www.facebook.com/pat.finnell.10>. The Wisconsin Department of Transportation (WIDOT) photograph of Patrick Finnell, Jr. was compared to the posted photographs on the publicly viewable portion of the Facebook page, and they appeared consistent. This Facebook page showed listed "Friends" with the known Facebook profiles for Oswaldo Cobian and Elias Cobian.

70. ATF agents queried Facebook and found a profile listed as "Elias Cobian", URL: <https://www.facebook.com/elias.cobian.10>, Facebook ID: 100003360892625. The Wisconsin Department of Transportation (WIDOT) photograph of Elias Cobian was compared to the posted photographs on the publicly viewable portion of the Facebook page, and they appeared consistent. Additionally, agents saw a picture of Chevrolet

Silverado Truck with Wisconsin License Plate AG4081. This is the same vehicle in which Elias Cobian and Rafael Preciado crossed the U.S.-Mexican border.

71. ATF agents queried Facebook and found a profile listed as "Oswaldo Cobian", URL: <https://www.facebook.com/oswaldo.cobian.3>, Facebook ID: 100000952930252. The Wisconsin Department of Transportation (WIDOT) photograph of Oswaldo Cobian was compared to the posted photographs on the publicly viewable portion of the Facebook page, and they appeared consistent. Additionally, there is a publicly viewable photograph of Oswaldo and Victor Cobian.

72. ATF agents queried Facebook and found a profile listed as "Rafael Preciado", URL: <https://www.facebook.com/rafael.preciado.77310>, Facebook ID: 100013469521981. The Wisconsin Department of Transportation (WIDOT) photograph of Rafael Preciado was compared to the posted photographs on the publicly viewable portion of the Facebook page, and they appeared consistent.

73. ATF agents queried Facebook and found a profile listed as "Cristina Cobian-Michels", URL: <https://www.facebook.com/cristina.cole.52>, and Facebook ID: 100001691233512. The Wisconsin Department of Transportation (WIDOT) photograph of Cristina Cole was compared to the posted photographs on the publicly viewable portion of the Facebook page, and they appeared consistent. This Facebook page showed listed "Friends" with the known Facebook profiles for Oswaldo Cobian and Elias Cobian. Cole also posted advertisements for Victor's Again bar in Oak Creek, WI. ATF agents know that this bar is owned and operated by Maria Cobian, the mother of Oswaldo Cobian and Victor Cobian.

SIGNIFICANCE OF EMAIL RELATED TO THE FIREARM TRANSACTIONS

74. ATF agents know that Gunbroker.com accounts are linked to an email address. This investigation revealed that at least Raphael Preciado, Victor Cobian, and Oswaldo Cobian have Gunbroker.com accounts that they have used to purchase firearms and organize their shipments to Wisconsin. Additionally, emails have been provided to FFLs as a point of communication. ATF agents believe that the emails will have significant information regarding the orders, shipments, payment methods, and other communications regarding the movement of these firearms.

SIGNIFICANCE OF FACEBOOK TO THE FIREARM TRANSACTIONS

75. ATF agents know that Facebook accounts store communications and pictures that will assist the agents in making connections to people and places involved in the suspected conspiracy to traffic firearms. All of the Facebook accounts to be searched show a connection to members of Cobian et al firearms trafficking conspiracy.

FACEBOOK COMMUNICATIONS AND FIREARMS/DRUG TRAFFICKING

76. On 11/27/2018, United States Magistrate Judge David E. Jones signed a Federal search warrant for the Facebook pages associated with Oscar Cobian, Oswaldo Cobian, Rafael Preciado, and Cristiana Cole. Facebook provided communications pursuant to this court order and the results were reviewed by ATF agents. Agents observed communications consistent with firearms trafficking, drug trafficking, reference to cartels, and illegal drug use. These communications included text messages, videos, photographs, and audio messages. The following are examples of conversations obtained consistent with firearms trafficking, narcotics trafficking, and cartel affiliation.

OSWALDO COBIAN & MARIO FERNANDEZ

77. Affiant observed communications received pursuant to a Federal search warrant between the Facebook page associated with Oswaldo Cobian and Facebook Username "Mario Fernandez" (also used "Chapparito De Oro" or "Chapparo"), Facebook ID: 100001965819835, URL: <https://www.facebook.com/youngbull93>. The conversation was consistent with firearms trafficking and was specific to the trafficking of .50 caliber firearms. The conversation was a combination of text and recorded audio messages translated from Spanish to English. The following is a summarization of the conversation:

February 13, 2018 (audio messages):

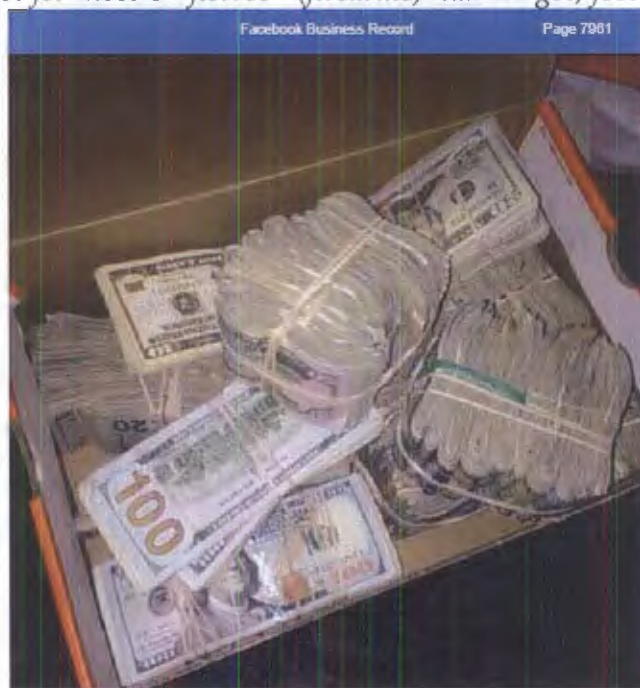
Oswaldo sends typed message asking what Mario is up to

"MARIO FERNANDEZ": Nothing, fool. Just at home doing nothing. And you, what are you doing? Are you already working or what?

OSWALDO COBIAN: Can you get me some (a few) things from over there? Cool (.....). It's cold. Snow everywhere.

"MARIO FERNANDEZ": Well, it depends. What? Tell me what you're looking for.

OSWALDO COBIAN: (Sends picture of shoebox full of money) And that's just from what we got for those 3 "fierros" (firearms) that we got, fool.



"MARIO FERNANDEZ": That's good money, foo'. Hey, fool, what's the

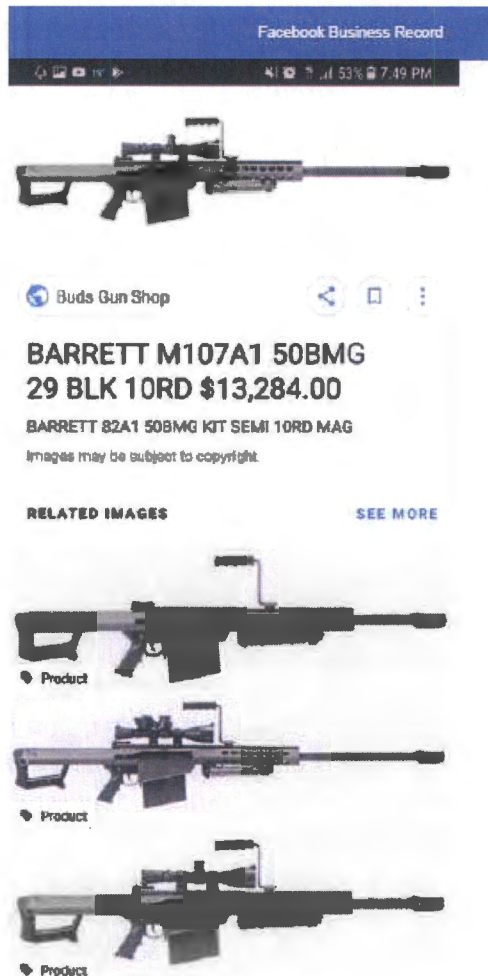
(..."ante papas"????) called in English, fool? Don't tell me it's the one that Victor made, no? Or Marcos...with the fuckin'....with hairspray and then he'd toss in a potato in. Haha. Na, kidding. What's it called, fool, that shit, in English? OSWALDO COBIAN: (Sends picture of three Objects consistent with a Browning M2HB rifle and another picture of Objects consistent with a Browning M2HB rifle)





"MARIO FERNANDEZ": That's the 50, no?

OSWALDO COBIAN: Yes, those are 50s. let me look for the link that those fools sent me so that I could find them one of those. It's like military use. With these little fucking things ("changaderas":rounds), fool, and you fire them off and "BOOF, BOOF, BOOF" it sends them far, fool. (sends screenshot of Barrett M107A1 50BMG selling online – Buds Gun Shop for \$13,284) The one on top, I have it at my house already. Next week, I'm taking it to California, fool.



"MARIO FERNANDEZ": What are you bringing over here for? Isn't it going over there?

OSWALDO COBIAN: Yeah, fool, but that's where they go down. Through Tijuana...and that's where the guys are that take them down there (ref: Mexico). You hand it over and right there, those guys give you the money, right there in California, without having to do anything yourself— just obtain/buy/get it. The guys arrive, they give you the money and take the "cohetes" (technically firework/rOSWALDO COBIANket but slang for firearm/gun) and see you later.

"MARIO FERNANDEZ": (Audio problems. Numerous audio clips with no message)

OSWALDO COBIAN: Just like the song says, fool, "just between us". Because you know how everyone is over there, the women/females and everyone, fool, they start talking and shit.

"MARIO FERNANDEZ": So do you have to take them to Tijuana or, what?, or do they come here to California? Simon, simon, I don't even get close to there (Tijuana).

OSWALDO COBIAN: Those dudes live right there in California, fool. Real close to Los Angeles...and all I do is call them by phone and tell them where the things are and they go and pick them up and they take the money. They take care of everything, you don't have to do anything or take anything anywhere. They load

the firearm to pass/cross it and everything, fool.

"MARIO FERNANDEZ": That's awesome, fool. But how the fuck am I going to do it, so that I can buy it so that I can sell it to them because I don't have money.

OSWALDO COBIAN: I also told that asshole, Cesar – he made me look bad, that son of a fucking bitch – He said, no, simon, simon, I know an Arab and all that shit. I have him here, in one week it'll all be set and it was all bullshit. He just made me believe that, the fool. And to those guys too (<- meaning: those guys (CA) believed the deal was good to go).

"MARIO FERNANDEZ": No, that guy is an asshole, he commits to shit without knowing shit. Like I said, I'm not sure but I will keep an eye out and see if one surfaces and I'll let you know.

OSWALDO COBIAN: Don't worry about that detail...Just find it, look it over well, in other words have them send photos and everything. And once you have photos and everything, I'll go—personally, if you want—and you and I will go together and get it and right there I'll give you your "earnings"/cut.

"MARIO FERNANDEZ": All set/good. Simon, fool. To give it a try/go and see if it works out (rough translation). And then you can buy it.

OSWALDO COBIAN: No, I mean, I know it's not for sure but I'm just saying if you find one, then call me asap and we can earn some quick cash. I know it's hard to find them so that's why I'm saying if you have a chance and you see one around there, make it happen, or else, don't even worry about it, fool.

"MARIO FERNANDEZ": Simon, simon, but what's that shit called, fool? The potato shooter, fool, that shit.... in English to be able to look for one. And that way, if I find one, that's why I'm saying give me the name. You're looking for a Barrett 50 and another of....of....50s regular. Those that you put underneath or on the ground or something. But send me the name of the other thing.

02/14/2018 (audio messages):

"MARIO FERNANDEZ": When you get a chance, call me...but as soon as you get a chance, call me, fool.

OSWALDO COBIAN: Give me your phone number so I can call you so that we don't talk through messenger.

"MARIO FERNANDEZ": Hey fool, I was going to tell you that I am going to talk to some guys that the guy called me....let me borrow some money, fool, you've got money. Let me borrow \$200 and on Sunday I'll pay you back, I'll send it back on MoneyGram or MoneyTransfer at the bank or whatever. Let me borrow the \$200, fool, and on Sunday I'll give it back.

OSWALDO COBIAN: That money is in MX, fool. I don't have access to it. A compa (compadre/buddy) has it. They send me money from over there when we do our thing ("machaca"), they send me money to pay that shit and everything. That's where I get my earnings/cut. Everything is over there, fool. Right now, I don't have anything, I'm broke here in the United States.

"MARIO FERNANDEZ": Well, it's only \$200, fool and Sunday I'm going to give it back just because it's valentine's day and well, I wanted to get it in, you

know. On Sunday, I have a jugada (may be referring to rodeo?) in Pico Rivera and they'll give me money there but I wanted money today to take the girlfriend out.

OSWALDO COBIAN: No, well, right now I'm broke until I get paid on Friday. Like I said, all my money is over there but I don't have access to it. Those fools send me....like they're going to send me \$10k, a lady is going to bring it over here to the United States and it's going to be deposited but until day after tomorrow they'll deposit it. But that's just to pay for the "artifact" (firearm) and to take it to califas (CA).

"MARIO FERNANDEZ": (Thinks OSWALDO COBIAN has money but doesn't want to let him borrow some.) Orale.

OSWALDO COBIAN: When you go to Mexico, I'll show you, fool. The little box of dollar bills, fool. But here, like I said, I don't have money, fool. I have all of it in Mexico.

03/05/2018 (audio and text messages):

- OSWALDO COBIAN: "Anda ala tienda aver si te venden uno y q cuanto tiempo tardan endartelo yo boy next week para aya" - Go to the store let's see if they sell you one and how long it takes to give it to you. I'm going over there next week.
- "MARIO FERNANDEZ": Barret .416 rifle
- OSWALDO COBIAN: 50 Cal
- "MARIO FERNANDEZ": Ok
- OSWALDO COBIAN:



 The Gun Broker



SEMI-AUTO CENTERFIRE RIFLES BRT 82A1 50BMG 20...

PRICE*
\$8,810.92

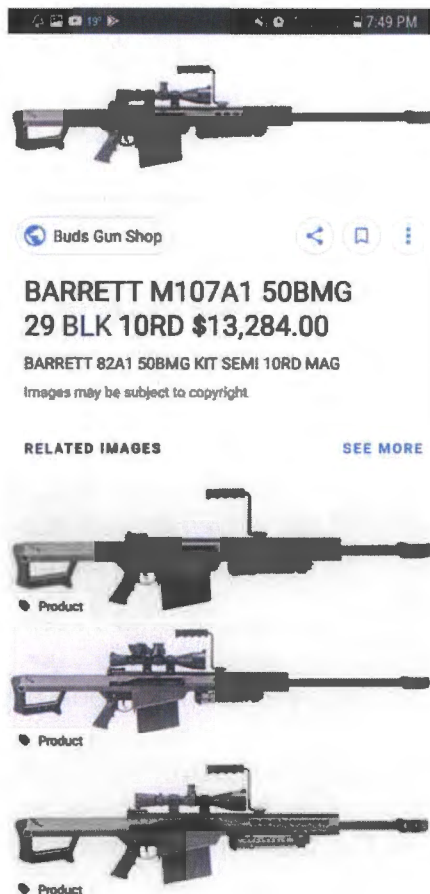
AVAILABILITY
In stock

SEMI-AUTO CENTERFIRE RIFLES – BARRETT
FIREARMS MFG. – BRT 82A1 50BMG 20" 10RD

* Check website for latest pricing and availability. Images may
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"MARIO FERNANDEZ": Hey, fool, I was going to ask you um isn't there another caliber they might want to get, one a little smaller or something? Because here in California, dude, it's bullshit, the laws don't let you – they don't sell those here, fool. I have to go another state, to Oregon or to Arizona. Arizona is right here, close by but do you think they'd want something smaller, a smaller caliber like almost a 50...like here the ones they sell, the largest are 0.416cal Barrett. It's like the 50 but it's...it's....I'll send you a link so you can see them and you can show them and see if they want one or what.

OSWALDO COBIAN: (sends screenshot of Semi-auto centerfire Rifle BRT 82A1 from The Gun Broker online for \$8,810 and sends Barrett M107A1 50 BMG link from Buds Gun Shop again for \$13,284) The one in the photo, on the bottom, fool. The one with the longest "cañon" (barrel? Not sure), 'cause there's a photo of one with a short "cañon" and one with a long canon. Long canon is better.

"MARIO FERNANDEZ": Okay, fool, but in California that shit's not sold. I'd have to go to Arizona for one.

OSWALDO COBIAN: Look, fool, if you go to Arizona, or whenever you are out there looking around, investigate/check it out and we can make some money, fool. –refences the internet----- (3/5/18 15:58CST) Just investigate and make sure they can make them awesome.

"MARIO FERNANDEZ": I will go myself, fool. I'll drive out there. Anyway, I don't have a record on my drivers license so, there's no reason to dig in to me. I'll go and come back real quick. Fool, look, I can go to Arizona right now, if I want to but all I need is money to put gas in the truck. I already put new tires on the truck and all that shit. All I need is to put gas in and go over there to check out the stores and how much they're selling them for and how the show is out there and I'll buy one real quick out there.

(CORRESPONDING TEXTS)

- *OSWALDO COBIAN: "Pues investiga a comp Los puedes agarrar" – Well, investigate/find out how you can get them.*
- *"MARIO FERNANDEZ": Ok*
- *OSWALDO COBIAN: "Y Los q tengan ai Arizona hay muchos ai Los asen" – And the ones they might have in Arizona, there's a lot, they make them there.*

78. Affiant observed an additional Facebook conversation received pursuant to a Federal search warrant between the Facebook page associated with Oswaldo Cobian and "Mario Fernandez". The conversation was consistent with the trafficking of Kel-Tec PMR 30, .22 WMR pistols. The following is a summarization of that conversation:

April 09, 2018:

OSWALDO COBIAN and MARIO FERNANDEZ exchange phone calls

- *OSWALDO COBIAN: "Fijate si me puedes conseguir unas pmr 30" – See if you can get me some PMR 30s (PMR 30 is a reference to the Kel Tec, model PMR 30, .22 WMR caliber pistol).*
- *OSWALDO COBIAN: "Son cortas" – They are short.*
- *OSWALDO COBIAN: "Vienen con dos cargadores" – They come with two magazines (pistol magazines).*

OSWALDO COBIAN sends the following picture:



- MARIO FERNANDEZ: "So wey" -Yes, fool and follows with a thumbs up emoji.
- MARIO FERNANDEZ: Si
- OSWALDO COBIAN: "Preguntas xfa" - Ask him/ them (not Mario)
- OSWALDO COBIAN: "Y si si te mando la feria" - And if yes, I can send you the money

Series of telephone calls made by MARIO FERNANDEZ to OSWALDO COBIAN

- OSWALDO COBIAN: "Pasame la direccion wey no bamos a durar ni 15 min" - Give me the address fool we be there 15 minutes
- MARIO FERNANDEZ: Ok
- MARIO FERNANDEZ: 626417
- MARIO FERNANDEZ: 7365
- OSWALDO COBIAN: "Ese es tu numero" - This is your number?

- OSWALDO COBIAN: ?
- MARIO FERNANDEZ - "Si" - yes
- OSWALDO COBIAN: "Pasame la direccion" - Send me the address
- OSWALDO COBIAN: "Para pasar el dato" - To pass the info
- OSWALDO COBIAN: "Y mirarnos hay" - And meet up there
- MARIO FERNANDEZ: 20091 Myron st perris ca 92570

OSWALDO COBIAN and MARIO FERNANDEZ exchange telephone calls

- OSWALDO COBIAN: "Q asen wey" - What are you doing, fool?
- OSWALDO COBIAN: "Te hable wey y nunca me respondistes carbon" - I called and you didn't respond, bastard.
- OSWALDO COBIAN: "Me mandaba puro buzón" - I keep getting sent to the mailbox (voicemail)

MARIO FERNANDEZ makes two telephone calls to OSWALDO COBIAN

- MARIO FERNANDEZ - "Pasame tu number" - Send me your number
- OSWALDO COBIAN: 4143661114
- MARIO FERNANDEZ - "Wey ya tengo mi cell" - Fool I already have my cell
- OSWALDO COBIAN: "Cual cel wey" - Which cell, fool
- OSWALDO COBIAN: "El fin q viene bamos a llamar" - We're going to call this coming weekend
- MARIO FERNANDEZ: Ok
- MARIO FERNANDEZ: 6264177365

79. A query for "Mario Fernandez" was conducted in the CA DOT database utilizing the information in the above conversation. Affiant located a Mario Fernandez, DOB: 08/08/1993, residing at 20090 Verta Street, Perris, California. The CA DOT

photograph and the publicly viewable images posted to Facebook appear to be the same person.

FACEBOOK COMMUNICATIONS: OSCAR COBIAN (of California), OSWALDO COBIAN, & HECTOR CORRALES

80. Affiant observed a Facebook conversation consistent with firearms trafficking between the Facebook pages associated Oswald Cobian and Facebook page with the username "Oscar Cobian" who was a different person than the aforementioned Oscar Cobian that lived in Wisconsin. Your Affiant observed the profile page and saw this person was much larger than the Oscar Cobian of Wisconsin. In addition, this Oscar Cobian listed Pico Rivera, California, as the town where he currently resided and Tonaya, Mexico, as where he is "from". Affiant was able to compare a state of California driver's license photo for Oscar Cobian (DOB: 10/14/1982) of 9206 Olympic Boulevard, Pico Rivera, CA, to publically viewable photographs from the above Facebook page and believed them to be the same person. Affiant also believes these subjects may be cousins.

81. On August 26th, the Oswald Cobian and the above Facebook page engaged in a conversation (translated from Spanish) as follows:

Oscar: (slang greeting/ 'what's up?')

Oswaldo: What's up?

Oscar: Are you still in Tonaya?

Oswaldo: Maybe I'll go visit you next week. Just keep it a secret/ shush about it.

Oscar: Okay, you know.

Oswaldo: (sends thumbs up sticker)

Oscar: Fool, I've got another job for you...of that (same thing), if possible/ if you can.

Oswaldo: let's hear it. Tell me.

Oscar: Of the same (things/ones), but that they arrive in Sinaloa

Oswaldo: Your boss' is already at the house. No fool, I won't set foot in Sinaloa.

Oscar: They're friends of mine/ compadres

Oswaldo: Tell them that instead, I'll buy whichever ones they have in Cali

Oscar: Well, that's why you sell them (firearms) to them (people). When you come, you can talk to my friend/compa

Oswaldo: What do they need?

Oscar: Well, firearms

Oswaldo: What kind?

Oscar: I'll tell you in a second

82. On August 30, 2018, Oscar Cobian sends Oswaldo Cobian a screenshot of a conversation between Oswaldo Cobian and "Hector Corrales".



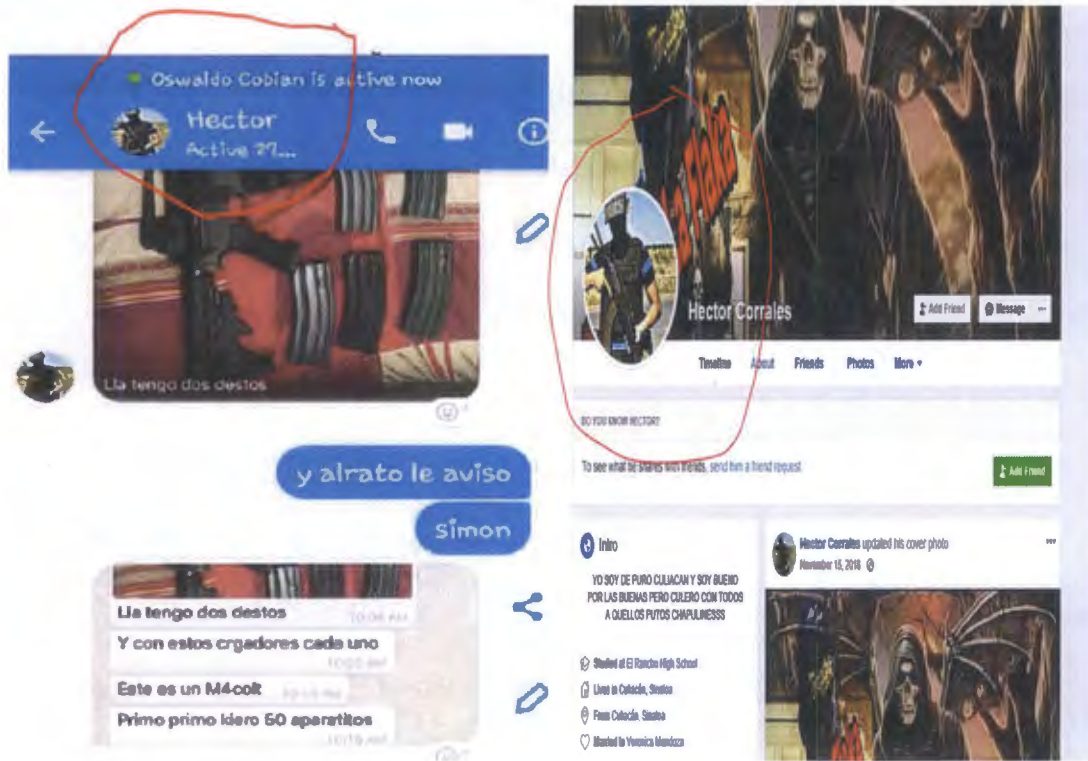
The object visible in the photograph is consistent with an AR15 or M4 style rifle and magazines. The above conversation was translated from Spanish. Written on the photograph sent by "Hector Corrales" is "Lla tengo dos destos". This is translated as "I already have two of these", which is believed to mean "Hector" is declaring he has two of these rifles. Oswaldo Cobian responded, "y alrato le aviso" and "simon". Translated this means "Later I'll advise you" and "Of course" or "yes" in Spanish slang. "Hector Corrales" sends the following communications in text format, "Lla tengo dos destos" (I already have two of these). "Y con estos crgadores cada uno" (And each one, with these magazines). "Este es un M4colt" (This is an M4 Colt). Affiant knows that Colt is a manufacturer of M4 and AR15 style rifles. "Primo primo kiero 50 aparatitos" (Cousin, cousin, I want fifty gadgets). Affiant believes gadgets is used in place of rifles or firearms.

83. Oswaldo Cobian and Oscar Cobian engaged in a conversation regarding the above screenshot and M4 style rifles. The conversation was a combination of texts and audio messages that were translated from Spanish to English. The following a summary of the communications:

- OSCAR COBIAN: "Es mi compa el q digo" - It's my friend I told you about.
- OSWALDO COBIAN: "Pero no te entiendo" - But I don't understand (you).
- *Call made by OSWALDO COBIAN to OSCAR COBIAN*
- OSWALDO COBIAN: "Hey se foto esta madre" - Hey, this thing got messed up
- OSCAR COBIAN: "Heyy"
- OSWALDO COBIAN: "Q pedo" - What's up (slang)
- OSCAR COBIAN: "Orita lo agrego en grupo" - I'll add you to the group
- OSWALDO COBIAN: "Nel" - Nope
- OSCAR COBIAN: ok

- OSCAR COBIAN: "Pos como le aemos" – Well, then how do we do it?
- OSCAR COBIAN: "q le digo o que" – What do I tell him or what?
- OSWALDO COBIAN: "Q cuanto da x cada uno aver si los busco" – That how much will he give for each one, and I'll look for them
- OSWALDO COBIAN: "Aver si me combiene" – To see if it's worth it
- OSWALDO COBIAN: "Y q tengo 50 caliber tambien" – And that I have a .50 Caliber also.
- OSCAR COBAIN: Well, ask him if he can send you some photos to see what shape their in, if they're new, if they're beat up, ask them their price and see what comes of it....to see if we can work something out...
- OSCAR COBIAN: What happened/ what's up? I went to the bathroom.
- OSWALDO COBIAN: I'll call you later. I'm driving.
- OSCAR COBIAN: Okay.

84. The profile picture for "Hector" was compared to a profile picture listed to a Facebook profile listing username "Hector Corrales", URL: <https://www.facebook.com/hector.corrales.7>, Facebook ID: 100002112730064. This profile was listed under the "Friends" section of the above Facebook page for Oscar Cobian from California. The photograph in the above screenshot matched the screenshot listed to the Facebook profile for "Hector Corrales". Affiant also observed Oswaldo Cobian and Oscar Cobian had Facebook Friends in common.



85. Affiant reviewed the Facebook page of “Hector Corrales” and noticed he claimed to live in Culiacan, Sinaloa, Mexico. However, further research revealed he had family ties to Pico Rivera, California. An inquiry was conducted of the California Department of Transportation (CA DOT) and a record for Hector R. Corrales (DOB: 12/14/1988) was located. Affiant compared the CA DOT photograph to publically viewable photographs posted to the Facebook page of “Hector Corrales”, and believes these are the same person.

86. Affiant further reviewed photographs on the Facebook page of Hector Corrales and found photographs and posting consistent with the type found on Facebook pages associated with Mexican cartels. These photographs include subjects wearing masks, donning body armor, and carrying items consistent with AR15 and AK47 rifles. There is also a photograph consistent with a religious alter or offering. In the offering is a pistol, a statue of Jesus Malverde, and a statue of Santa Muerte. Affiant

knows from training and experience that Jesus Malverde and Santa Muerte are Mexican folk saints that are symbols associated with cartels in Mexico. Furthermore, there were photographs of a subject with items consistent with Barrett, .50 caliber rifles, which is a firearm that has repeatedly been purchased by the Cobian family during this investigation. Affiant also knows from training and experience that Barrett rifles are highly desired by Mexican cartel organizations.

FACEBOOK: ELIAS COBIAN & "NOE MICHEL"

87. Affiant observed conversations between Elias Cobian and Facebook Username "Noe Michel", URL: <https://m.facebook.com/profile.php?id=100013279269125>, and Facebook ID: 100013279269125 consistent with the trafficking of Kel-Tec PMR 30, .22 WMR pistols to Mexico. The following is a summarization of the conversation between the Facebook page associated with Elias Cobian and "Noe Michel":

12/18/2017:

Elias Cobian: Buddy, there's two. Under the name Elias Cobian Soto

"Noe Michel": Okay, that's good. Will there be three or just two?

Elias Cobian: Just two. My homeboy/friend wants to keep one.

"Noe Michel": Okay, that's fine. I'll put them this evening and I'll call you to give you the (clue) key/access codes

Elias Cobian: Okay

"Noe Michel": But with his name, he does have teacher/professor credentials/certifications?

Elias Cobian: Yes

"Noe Michel": Okay, I'll send you the keys/access codes this evening

Elias Cobian: Okay. I'm going to El Grullo right now. Would you be able to send me the deposit so that I don't have to go twice?

"Noe Michel": I'm far away from the house, buddy, and I don't have money with me. This evening for sure, buddy.

Elias Cobian: OK

"Noe Michel": Sorry, buddy, but this evening for sure it'll be there, ok?

Elias Cobian: Yeah, it's fine. No worries.

"Noe Michel": Okay, done.

("Noe Michel" Sends photo of two money wires/transfers)



Transaction E01000665044:

Remitter: E&M Latino Express Money Services, 733 Pleasant Hill Road, Suite C-8, Lilburn, GA, 30047

Sender: GUILHERMO PEREZ GUDINO

Phone: 678/314-9380

Amount (US Currency): \$999.00,

Sender Address: 1721 Stessa Street, Lawrenceville, GA, 30043

Beneficiary: ELIAS COBIAN SOTO of Autlan, Jalisco, Mexico

Transaction E01000665108:

- Remitter: E&M Latino Express Money Services, 733 Pleasant Hill Road, Suite C-8, Lilburn, GA, 30047
- Sender: GUILLERMO PEREZ GUDINO
- Phone: 678/314-9380
- Amount (US Currency): \$999.00,
- Sender Address: 1721 Stessa Street, Lawrenceville, GA, 30043
- Beneficiary: ELIAS COBIAN SOTO of Autlan, Jalisco, Mexico

"Noel Michel": There's the money for one, buddy. And over there, they'll pay you for the other one when they go for them (go pick them up).

Elias Cobian: Okay, when are they coming?

"Noe Michel": Do the codes show up well (in the picture)? I think tomorrow.

Elias Cobian: Yes, fine. Let me know what time so that I can wait for him.

"Noe Michel": Yeah, I'll call you one hour before they go

Elias Cobian: Okay, good to go/ all set. (sends photos of two PMR-30s) Let me know which one.



"Noe Michel": The green one seems/looks better to me, don't you think? Or which one looks better in person? I'll take/give me the green one, buddy, please.

Elias Cobian: OK

"Noe Michel": That one looks nicer, right?

Elias Cobian: I like the green one better but both are nice. I received what was sent, what time will they come for them?

JUNE 6th, 2018

"Noe Michel": What's up, buddy? How are things going?

Elias Cobian: Good, good...I'm in Tonaya. Been here 3 weeks. I return tomorrow.

"Noe Michel": Oh, are you going to be able to get me two of the same ones?

Elias Cobian: Yes, just let me arrive/get back and I'll call you.

"Noe Michel": Okay, sounds good. And if you go in August or December so that you can take them for me.

Elias Cobian: Okay.

88. Affiant knows from this investigation that Kel-Tec PMR 30, .22 WMR caliber pistols have been purchased by Oswaldo Cobian, Elias Cobian, and Rafael Preciado. Furthermore, on November 16, 2017, Oswaldo Cobian purchased a grey (tungsten) Kel-Tec PMR 30 and Elias Cobian purchased a green Kel-Tec PMR 30 from FFL Shooter's Sport Center in Racine, WI. These firearms match the same make, model, and color of the firearm discussed in the above transaction.

FACEBOOK: OSWALDO COBIAN & ROGELIO GASCA

89. Affiant observed conversations between Oswaldo Cobian and Facebook username "Rogelio Gasca", URL: <https://www.facebook.com/rogerio.gasca.14> Facebook ID 100010143872247. In one conversation Oswaldo Cobian and "Rogelio Gasca" have a conversation about "Oscar". Your Affiant believes this to be Oscar Cobian. In the conversation translated from Spanish, Oswaldo Cobian tells "Rogelio

Gasca" that Oscar is "conectacdo" or "connected" in English. Affiant knows that "connected" is a word that can be used to describe a person who has a membership or a relationship in an organized criminal group. The conversation (translated) is as follows:

02/18/2018

Oswaldo Cobian: Hey, you know that Oscar is connected?

"Rogelio Gasca": Connected where?

Oswaldo Cobian: He's not going to make it (typed in English). I don't know, my dad just called me.

"Rogelio Gasca": Which Oscar?

Oswaldo Cobian: I'm going to call my uncle Jose right now.

Oswaldo Cobian: Beef (typed in English)

"Rogelio Gasca": Don't BS/Quit Fuckin' around, where is he?

Oswaldo Cobian: That no one pays attention to them now that no one goes to see him. I don't know, fool.

"Rogelio Gasca": Well, no one ever says anything, I didn't know anything about this.

Oswaldo Cobian: So you can find out and tell the rest of them that you are over there, just don't tell them that I told you/gossiped about it.

"Rogelio Gasca": Okay, thanks cousin.

Oswaldo Cobian and "Rogelio "Gasca" also engaged in a conversation regarding "cricri". Affiant knows this is slang for methamphetamine, AKA "crystal meth". The following is a summarization of the conversation translated from Spanish:

04/29/2018

Oswaldo Cobian: "Consigueme cricri para el sabado aun mamadas" – Can you get me some meth for Saturday for a blowjob

"Rogelio Gasca": "Simon, wey" - Yes, fool

Oswaldo Cobian: "Yo te doy la feria ami me quieren dar pero libras enteras y no quiero tanta" – I'll give you money. They want to give me pounds but I don't want that much.

90. Affiant compared CADOT photograph for Rogelio Gasca, DOB: 05/29/1974, 9525 Friendship Ave. Pico Rivera, CA, with publicly viewable Facebook photos from the above Facebook page. This appears to be the same person. Your Affiant is aware that the Cobian family travels to California and there is a possibility that Oswaldo Cobian could indeed receive methamphetamine from Rogelio Gasca to transport to the Eastern District of Wisconsin.

FACEBOOK: OSWALDO COBIAN & JOSH SIPPLE

91. Affiant observed conversations between the Facebook page associated with Oswaldo Cobian and Facebook username "Josh Sipple", User ID 1752717630, and URL <https://facebook.com/josh.sipple.7>. The conversation was consistent with illegal drug trafficking. The following messages were observed:

03/21/2018

Oswaldo Cobian: I have new and better candy

Sipple: Oh yeah. Where you working?

Oswaldo Cobian: disel cush – (Affiant knows that "cush" is a type of potent marijuana)

Sipple: I'll take some price

Oswaldo Cobian: In Bensenville. 170 once

Sipple: you got my personal numbers. 9204000482

Oswaldo Cobian: But I will give you sample

Sipple: Send me a couple picks awesome

Oswaldo Cobian: That's why I was calling you the other day

Sipple: yeah, I kinda figured that. I was playing phone tag with you and then my work phone is junk. They are sending me a new one

Oswaldo Cobian: Lol (sends photo of a plant-like substance consistent with marijuana packaged in plastic bags)

Sipple: Hahaha hell yeah Well shit Sunday I am driving to Wisconsin for my nieces bday. On the way home back thru Milwaukee I could swing by and grab one from you if that's cool? Just send me your address and give me your personal number

Oswaldo Cobian: 414 36611114 Sorry 4143661114

Sipple: Awesome

Oswaldo Cobian: Calme when you are on your way and iguive you mi a dress I have received your text

Sipple: Awesome will do

OC: (sends thumbs up)

92. Affiant believes Josh Sipple is Joshua Sipple (DOB: 06/06/1986) who previously resided in Wauwatosa, WI, and now resides in Chicagoland. A WIDOT photograph of Joshua Sipple was reviewed and his appearance appeared consistent

with the images posted on the publically viewable portion of the aforementioned Facebook page.

IDENTIFICATION OF ADDITIONAL FACEBOOK PAGES

93. Agents located Facebook pages for Oswaldo Cobian in addition to the page with the user ID number of 100000952930252. Agents located a page suspected to be utilized by Oswaldo Cobian with the Facebook User ID of 100021611710181, username Oswaldo Cobian. This page displays photographs of the same children as the aforementioned Facebook page and are suspected to be the children of Oswaldo Cobian. In addition, the two pages share similar friends to include the Facebook profile "Edith Gove". This is the suspected page of Edith Gonzales (H/F, DOB: 02/05/1978) who is the wife of Oswaldo Cobian. Agents compared photographs on the page "Edith Gove" to a WIDOT photo of Gonzales and the two appear consistent. On the "Edith Gove" Facebook page, the profile picture depicts Oswaldo Cobian, Gonzales and their two children. It is suspected Oswaldo Cobian utilizes this page in addition to the aforementioned page and evidence of firearms trafficking could be stored on both pages.

94. Agents located additional pages for Oscar Cobian. In addition to the page with the Facebook ID 100000739694551.

95. Agents also located undiscovered Facebook pages for Rafael Preciado in addition to the previously known page for Preciado with the Facebook ID 10013469521981. The Facebook page with the user ID 100014593833452 and username "Rafael Preciado" is also believed to belong to Rafael Preciado. The photographs on the page "Rafael Preciado", user ID 100014593833452, and URL:

<https://www.facebook.com/rafael.preciado.184> are consistent with a WIDOT photo of Rafael Preciado. The profile is also with Facebook "Friends" with Facebook pages "Elias Cobian" and "Edith Cobian".

96. The second discovered page for Preciado has a Facebook ID of 100022874962330, URL: <https://www.facebook.com/rafael.preciado.7549>. The page depicts photographs of a subject consistent with the appearance of Rafael Preciado in a WIDOT photograph.

ELECTRONIC STORAGE AND FORENSIC ANALYSIS

97. As described above and in Attachment B, this application seeks permission to search for records that might be found on the PREMISES, in whatever form they are found. One form in which the records might be found is data stored on a computer's hard drive or other storage media. Thus, the warrant applied for would authorize the seizure of electronic storage media or, potentially, the copying of electronically stored information, all under Rule 41(e)(2)(B).

98. *Probable cause.* I submit that if a computer or storage medium is found on the PREMISES, there is probable cause to believe those records will be stored on that computer or storage medium, for at least the following reasons:

- i. Based on my knowledge, training, and experience, I know that computer files or remnants of such files can be recovered months or even years after they have been downloaded onto a storage medium, deleted, or viewed via the Internet. Electronic files downloaded to a storage medium can be stored for years at little or no cost. Even when files have been deleted, they can be recovered

months or years later using forensic tools. This is so because when a person “deletes” a file on a computer, the data contained in the file does not actually disappear; rather, that data remains on the storage medium until it is overwritten by new data.

- ii. Therefore, deleted files, or remnants of deleted files, may reside in free space or slack space—that is, in space on the storage medium that is not currently being used by an active file—for long periods of time before they are overwritten. In addition, a computer’s operating system may also keep a record of deleted data in a “swap” or “recovery” file.
- iii. Wholly apart from user-generated files, computer storage media—in particular, computers’ internal hard drives—contain electronic evidence of how a computer has been used, what it has been used for, and who has used it. To give a few examples, this forensic evidence can take the form of operating system configurations, artifacts from operating system or application operation, file system data structures, and virtual memory “swap” or paging files. Computer users typically do not erase or delete this evidence, because special software is typically required for that task. However, it is technically possible to delete this information.
- iv. Similarly, files that have been viewed via the Internet are sometimes automatically downloaded into a temporary Internet directory or “cache.”

99. *Forensic evidence.* As further described in Attachment B, this application seeks permission to locate not only computer files that might serve as direct evidence of the crimes described on the warrant, but also for forensic electronic evidence that establishes how computers were used, the purpose of their use, who used them, and when. There is probable cause to believe that this forensic electronic evidence will be on any storage medium in the PREMISES because:

- i. Data on the storage medium can provide evidence of a file that was once on the storage medium but has since been deleted or edited, or of a deleted portion of a file (such as a paragraph that has been deleted from a word processing file). Virtual memory paging systems can leave traces of information on the storage medium that show what tasks and processes were recently active. Web browsers, e-mail programs, and chat programs store configuration information on the storage medium that can reveal information such as online nicknames and passwords. Operating systems can record additional information, such as the attachment of peripherals, the attachment of USB flash storage devices or other external storage media, and the times the computer was in use. Computer file systems can record information about the dates files were created and the sequence in which they were created, although this information can later be falsified.
- ii. As explained herein, information stored within a computer and other electronic storage media may provide crucial evidence of the

“who, what, why, when, where, and how” of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, information stored within a computer or storage media (e.g., registry information, communications, images and movies, transactional information, records of session times and durations, internet history, and anti-virus, spyware, and malware detection programs) can indicate who has used or controlled the computer or storage media. This “user attribution” evidence is analogous to the search for “indicia of occupancy” while executing a search warrant at a residence. The existence or absence of anti-virus, spyware, and malware detection programs may indicate whether the computer was remotely accessed, thus inculcating or exculpating the computer owner. Further, computer and storage media activity can indicate how and when the computer or storage media was accessed or used. For example, as described herein, computers typically contain information that log: computer user account session times and durations, computer activity associated with user accounts, electronic storage media that connected with the computer, and the IP addresses through which the computer accessed networks and the internet. Such information allows investigators to understand the chronological context of computer

or electronic storage media access, use, and events relating to the crime under investigation. Additionally, some information stored within a computer or electronic storage media may provide crucial evidence relating to the physical location of other evidence and the suspect. For example, images stored on a computer may both show a particular location and have geolocation information incorporated into its file data. Such file data typically also contains information indicating when the file or image was created. The existence of such image files, along with external device connection logs, may also indicate the presence of additional electronic storage media (e.g., a digital camera or cellular phone with an incorporated camera). The geographic and timeline information described herein may either inculcate or exculpate the computer user. Last, information stored within a computer may provide relevant insight into the computer user's state of mind as it relates to the offense under investigation. For example, information within the computer may indicate the owner's motive and intent to commit a crime (e.g., internet searches indicating criminal planning), or consciousness of guilt (e.g., running a "wiping" program to destroy evidence on the computer or password protecting/encrypting such evidence in an effort to conceal it from law enforcement).

- iii. A person with appropriate familiarity with how a computer works can, after examining this forensic evidence in its proper context,

draw conclusions about how computers were used, the purpose of their use, who used them, and when.

- iv. The process of identifying the exact files, blocks, registry entries, logs, or other forms of forensic evidence on a storage medium that are necessary to draw an accurate conclusion is a dynamic process. While it is possible to specify in advance the records to be sought, computer evidence is not always data that can be merely reviewed by a review team and passed along to investigators. Whether data stored on a computer is evidence may depend on other information stored on the computer and the application of knowledge about how a computer behaves. Therefore, contextual information necessary to understand other evidence also falls within the scope of the warrant.
- v. Further, in finding evidence of how a computer was used, the purpose of its use, who used it, and when, sometimes it is necessary to establish that a particular thing is not present on a storage medium. For example, the presence or absence of counter-forensic programs or anti-virus programs (and associated data) may be relevant to establishing the user's intent.

100. *Necessity of seizing or copying entire computers or storage media.* In most cases, a thorough search of a premises for information that might be stored on storage media often requires the seizure of the physical storage media and later off-site review consistent with the warrant. In lieu of removing storage media from the premises, it is

sometimes possible to make an image copy of storage media. Generally speaking, imaging is the taking of a complete electronic picture of the computer's data, including all hidden sectors and deleted files. Either seizure or imaging is often necessary to ensure the accuracy and completeness of data recorded on the storage media, and to prevent the loss of the data either from accidental or intentional destruction. This is true because of the following:

- i. The time required for an examination. As noted above, not all evidence takes the form of documents and files that can be easily viewed on site. Analyzing evidence of how a computer has been used, what it has been used for, and who has used it requires considerable time, and taking that much time on premises could be unreasonable. As explained above, because the warrant calls for forensic electronic evidence, it is exceedingly likely that it will be necessary to thoroughly examine storage media to obtain evidence. Storage media can store a large volume of information. Reviewing that information for things described in the warrant can take weeks or months, depending on the volume of data stored, and would be impractical and invasive to attempt on-site.
- ii. Technical requirements. Computers can be configured in several different ways, featuring a variety of different operating systems, application software, and configurations. Therefore, searching them sometimes requires tools or knowledge that might not be present on the search site. The vast array of computer hardware

and software available makes it difficult to know before a search what tools or knowledge will be required to analyze the system and its data on the Premises. However, taking the storage media off-site and reviewing it in a controlled environment will allow its examination with the proper tools and knowledge.

- iii. Variety of forms of electronic media. Records sought under this warrant could be stored in a variety of storage media formats that may require off-site reviewing with specialized forensic tools.

101. *Nature of examination.* Based on the foregoing, and consistent with Rule 41(e)(2)(B), the warrant I am applying for would permit seizing, imaging, or otherwise copying storage media that reasonably appear to contain some or all of the evidence described in the warrant, and would authorize a later review of the media or information consistent with the warrant. The later review may require techniques, including but not limited to computer-assisted scans of the entire medium, that might expose many parts of a hard drive to human inspection in order to determine whether it is evidence described by the warrant.

102. Because several people share the PREMISES as a residence, it is possible that the PREMISES will contain storage media that are predominantly used, and perhaps owned, by persons who are not suspected of a crime. If it is nonetheless determined that that it is possible that the things described in this warrant could be found on any of those computers or storage media, the warrant applied for would permit the seizure and review of those items as well.

TECHNICAL TERMS

103. Based on my training and experience, I use the following technical terms to convey the following meanings:

104. IP Address: An Internet Protocol address (or simply “IP address”) is a unique numeric address used by computers on the Internet. An IP address is a series of four numbers, each in the range 0-255, separated by periods (e.g., 121.56.97.178). Every computer attached to the Internet computer must be assigned an IP address so that Internet traffic sent from and directed to that computer may be directed properly from its source to its destination. Most Internet service providers control a range of IP addresses. Some computers have static—that is, long-term—IP addresses, while other computers have dynamic—that is, frequently changed—IP addresses.

105. Internet: The Internet is a global network of computers and other electronic devices that communicate with each other. Due to the structure of the Internet, connections between devices on the Internet often cross state and international borders, even when the devices communicating with each other are in the same state.

ATTACHMENT A
Property to Be Searched

The property to be searched is 6525 High Hill Circle, Racine, WI, 53402, the residence of Oswaldo Cobain (DOB: 02/22/1989) and Elias Cobian (DOB: 03/16/1987), and any storage units on the premise. The structure is herein described as a white single family home, with attached garage. The numbers "6525" are affixed to garage facing the street.



The property to be searched is 3540 River Bend Drive, Racine, WI, 53404: residence of Victor Cobian (DOB: 03/29/1982) and Stephanie Cobian (DOB: 08/02/1982). Herein described as a single family home, with grey siding, dark trim, and attached garage. The home is a multi-level dwelling. The numbers "3540" are affixed to the mailbox.



The property to be searched is 4635 Youngblood Road, Racine, WI, 53405: Residence of Jeremiah "Jerry" Cholip (DOB: 11/29/1974). Herein described as a cream colored, single story, single family home, with green trim and dark roof. The property also has a detached garage in a similar color scheme to the home.



The property to be searched is 2665 4 ½ Mile Road, Racine, WI, 53402: residence of Patrick Finnell, Jr. (DOB: 07/27/1988). Herein described as a brown brick house with dark roof and cream colored detached garage.



The property to be search is 3917 E. Maple Street, Oak Creek, WI, 53154: residence of Cristina Cole (DOB: 01/20/1981). Herein described as a single family home, green in color, located on a corner lot. The property also has a green, detached garage/storage unit (pictured below with house)



Vehicles

- Chevrolet Silverado Truck with Wisconsin License Plate AG4081 registered to Elias and Oswaldo Cobian
- Chevrolet Tahoe, bearing WI license plate 496-TPJ registered to Oswaldo Cobian

ATTACHMENT B
Particular Things to be Seized

1. ATF Form 4473s, firearms, firearm boxes, receipts and any records related to firearms, firearms accessories, ammunition, financial documents that transfer of proceeds of the above schemes, computers, electronics capable of communication, and cellphones such as:

- a. lists of contacts and any identifying information;
- b. Photographs, videos, or other media storage connected to firearms;
- c. types, amounts, and prices of firearms purchased/sold;
- d. any information related to sources or purchasers of firearms (including names, addresses, phone numbers, or any other identifying information);
- e. all bank records, checks, credit card bills, account information, and other financial records related to firearms commerce.
- f. Any and all financial records connected to the purchase/sale of firearms;

2. Cellphones, computers, and all media storage devices that may hold documentation regarding firearm or ammunition purchases/sales and customers;

3. Any and all financial records connected to the purchase/sale of firearms, and any correspondence between suspects and other firearms sellers and/or purchasers;

4. All bank records, checks, credit card bills, account information, and other financial records related to firearms and/or narcotics commerce;

5. Proceeds of drug trafficking activities, including United States currency;

6. All bank records, checks, credit card bills, account information, and other financial records; Financial records, documents, statements, or other evidence of control of bank or other financial accounts and investment funds;

7. Personal address books, telephone bills, photographs, letters, personal notes, documents and other items or lists reflecting names, addresses, telephone numbers, addresses and communications regarding illegal activities among and between members and associates involved in drug trafficking activities.

8. Documents and deeds reflecting the purchase or lease of items obtained with the proceeds from firearm trafficking activities;

9. Records of off-site locations to store proceeds and other records, including safes, vaults, or lock boxes, safe deposit box keys, records and receipts and rental agreements for storage facilities;

10. Records of mail and communications services, cellular telephones and all electronic storage areas on the device including stored telephone numbers, recently called numbers list, text messages, digital audio and or video recordings, pictures, settings, and any other user defined settings and/or data.

11. Indicia of occupancy, residency or ownership of the premises, including utility bills, telephone bills, loan payment receipts, addressed envelopes, escrow documents and keys.

12. Evidence of user attribution showing who used or owned the devices at the time the things described in this warrant were created, edited, or deleted, such as logs, phonebooks, saved usernames and passwords, documents, and browsing history;

13. As used above, the terms “records” and “information” include all of the foregoing items of evidence in whatever form and by whatever means they may have been created or stored, including any form of computer or electronic storage (such as flash memory or other media that can store data) and any photographic form.

14. All records relating to violations of 18 U.S.C § 922(a)(1)(A) (engaging in a firearms business without a license), § 922(d) (transferring a firearm to a prohibited person), and § 18 U.S.C § 554 (smuggling good from the United States), 18 U.S.C. § 922(a)(1) (false statement to a material fact to FFL), 18 U.S.C. § 924(b) (interstate/foreign shipment for felony purpose), 18 U.S.C. § 922(a)(9) (non-resident/non FFL received firearms), 18 U.S.C. § 924(h) (transfer firearm to be used in drug trafficking crime), 18 U.S.C. § 924(g) (interstate travel with intent to commit drug trafficking crime), 22 U.S.C. § 2778(b)(2)(c) (illegal export of munitions), and 18 U.S.C. § 371 (conspiracy), those violations involving the suspects and residences names above and occurring after April 1, 2015, including:

- a. Records and information relating to a conspiracy traffic firearms;
- b. Records and information relating to the e-mail and Facebook accounts names in the affidavit;
- c. Records and information relating to the identity or location of the suspects;
- d. Records and information relating to communications with Internet Protocol addresses;
- e. Records and information relating to the crimes referenced in Attachment B, paragraph 14.

15. Computers or storage media used as a means to commit the violations described above;

16. For any computer or storage medium whose seizure is otherwise authorized by this warrant, and any computer or storage medium that contains or in which is stored records or information that is otherwise called for by this warrant (hereinafter, "COMPUTER"):

- a. evidence of who used, owned, or controlled the COMPUTER at the time the things described in this warrant were created, edited, or deleted, such as logs, registry entries, configuration files, saved usernames and passwords, documents, browsing history, user profiles, email, email contacts, "chat," instant messaging logs, photographs, and correspondence;
- b. evidence indicating how and when the computer was accessed or used to determine the chronological context of computer access, use, and events relating to crime under investigation and to the computer user;
- c. evidence indicating the computer user's state of mind as it relates to the crime under investigation;
- d. evidence of the attachment to the COMPUTER of other storage devices or similar containers for electronic evidence;
- e. evidence of counter-forensic programs (and associated data) that are designed to eliminate data from the COMPUTER;
- f. evidence of the times the COMPUTER was used;

- g. passwords, encryption keys, and other access devices that may be necessary to access the COMPUTER;
- h. documentation and manuals that may be necessary to access the COMPUTER or to conduct a forensic examination of the COMPUTER;
- i. records of or information about Internet Protocol addresses used by the COMPUTER;
- j. records of or information about the COMPUTER's Internet activity, including firewall logs, caches, browser history and cookies, "bookmarked" or "favorite" web pages, search terms that the user entered into any Internet search engine, and records of user-typed web addresses;
- k. contextual information necessary to understand the evidence described in this attachment.

As used above, the terms "records" and "information" includes all forms of creation or storage, including any form of computer or electronic storage (such as hard disks or other media that can store data); any handmade form (such as writing); any mechanical form (such as printing or typing); and any photographic form (such as microfilm, microfiche, prints, slides, negatives, videotapes, motion pictures, or photocopies).

The term "computer" includes all types of electronic, magnetic, optical, electrochemical, or other high speed data processing devices performing logical, arithmetic, or storage functions, including desktop computers, notebook computers, mobile phones, tablets, server computers, and network hardware.

The term "storage medium" includes any physical object upon which computer data can be recorded. Examples include hard disks, RAM, floppy disks, flash memory, CD-ROMs, and other magnetic or optical media.